Ontario
Ministry of
Community and
Social Services

February 1983

A Policy Statement on

Standards for Day Nurseries Services

Ministry of
Community and
Social Services

Office of the
Minister

416/965-2341

Hepburn Block
Queen's Park
Toronto, Ontario
M7A 1E9

May 11, 1983

Dear Friends:

I am pleased to present to you this policy statement containing the revised standards for the Day Nurseries Act of Ontario.

The standards are based on a consultation paper, Day Nurseries: Proposed Standards and Guidelines, prepared by Ministry staff following a review of current literature on child development and preliminary consultation with authorities in the day-nurseries field.

The paper was distributed province-wide in February, 1980 to more than 5,000 child-care experts and workers, parents, and other groups and individuals interested in day-nursery services. Ministry staff discussed the proposals it contained with more than 1,000 individuals at meetings across Ontario and reviewed 101 written submissions on these proposals.

Most of the changes simply clarify the intent of existing regulations, some of which are imprecise and open to misinterpretation. Other changes bring the program into line with current knowledge of child development and existing practices in most of the province's day nurseries.

Overall, we believe we have streamlined and simplified the regulations, while, at the same time, improving the quality of care for children in day nurseries and in supervised family day care.

I would like to thank the many members of the day-care community and public at large who participated in the development of these final standards. Your valuable contributions have helped the Government of Ontario honour its long-standing commitment to provide the more than 80,000 children in supervised child-care settings in this province with the finest quality of care possible.

Yours truly

Frank Drea

Frank Drea

PREFACE

This paper presents the final policy statement of the Ministry of Community and Social Services concerning the standards to be implemented and maintained in licensed day nurseries and private-home day care agencies in Ontario. A paper released in February 1980, Day Nurseries: Proposed Standards and Guidelines, served as the basis for consultation on standards issues with persons involved in the operation of day nurseries services and other interested groups and individuals. This final policy statement was developed by:

- analyzing the comment gathered during the public consultation
- reviewing relevant literature
- comparing the proposals with standards set by other jurisdictions
- reviewing Ministry experience with day nurseries services.

The final standards will be incorporated in new regulations under the Day Nurseries Act, R.S.O. 1980, c. 111. They will be used in determining the eligibility for a licence of every day nursery and private-home day care agency in Ontario.

To all those who took part in the consultation meetings on the proposed standards and to all those who submitted written responses to the proposals, the Ministry wishes to express its deep appreciation and gratitude. The thoughtful contributions from the field were of vital help to the Ministry in determining the final standards.

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1. DEVELOPMENT OF THE FINAL STANDARDS FOR DAY NURSERIES

The establishment of standards for day nurseries services reflects a long-standing provincial commitment to the provision of children's services. This chapter of the policy statement reviews the Ministry's efforts to establish standards for children's services in Ontario in general and day nurseries services in particular in sections that discuss:

- o the development of children's services in Ontario and the current role of government
- o the importance of standards in achieving adequate service
- o the recent standards development work in other areas of children's services
- o the reasons for revising the existing day nurseries standards and for developing related guidelines
- o the consultation process.

Children's Services in Ontario: Development, Trends and Directions

In Ontario, the 19th century saw the development of a public-private partnership in the provision of children's services that continues to this day. As local voluntary organizations took the initiative to seek out and to protect neglected children, and developed institutions to care for them, the provincial Government gradually recognized public responsibility for services to children, and conferred legal status on the private efforts to this end. Local governments were required to assume maintenance costs of wards in 1888. Since the Children's Protection Act of 1893, Children's Aid Societies have been semi-public agencies with a broad legal mandate to protect and supervise children. In the 20th century, the provincial Government began to contribute to the funding of the Societies. With the Child Welfare Act of 1954, the Government assumed direct responsibility for the Societies, reaffirming the principle of delegation to private agencies, and establishing mechanisms for the accountability of the Societies to the Province. The involvement of the Government in the funding and monitoring of day nurseries has similarly evolved over the years, beginning with participation in a World War II federal-provincial cost-sharing agreement to provide day care for children whose mothers were employed in essential industry. With the passage of the first Day Nurseries Act in 1946, the Province assumed responsibility for licensing and inspection of all day nurseries, regardless of auspices, to ensure adequate standards of service, and began to share the operating costs of municipal day nursery programs.

Another significant aspect of the development of children's services in Ontario has been the emergence of separate service streams with differing professional traditions and structures. Legislation enacted in 1857 marked statutory recognition of a distinction between juvenile and adult offenders, and gave impetus to the development of institutions providing correctional as opposed to child welfare services. In the 20th century, government support for the care and treatment of emotionally disturbed children led to the development of a distinct children's mental health system. When the Children's Mental Health Centres Act came into effect in 1971, this system became almost totally government-funded. Despite their different traditions, these service streams have all been characterized by a long-term trend away from institutional to community-based care. Provincial subsidies for day nurseries for handicapped children reflect this approach to service for children with special needs.

By the 1970's, the need to integrate responsibility for children's services was evident in the inadequacy of a fragmented system, faced with rising costs and limited financial resources, to meet needs for service or to deal with inequities, gaps and overlaps in the distribution of services. In addition, the existing separation of service streams failed to recognize that although children may require specialized services to meet their particular needs, their basic needs are similar. In 1977, the provincial Government therefore consolidated within the Ministry of Community and Social Services responsibilities formerly shared with the Ministries of Health, Correctional Services and the Attorney General.

The Current Government Role

The provincial Government's current role in children's services is multifaceted. It is a direct provider of services; for example, the Ministry of Community and Social Services directly operates a number of children's mental health centres and training schools. The Government is an allocator of public funds to other service providers; funding of Children's Aid Societies, day nurseries and other service agencies accounted for the greater part of the Ministry's $342 million children's services expenditure in for 1981-82. The Government is also the steward of the public resources that flow to and from it; it is ultimately accountable to the public for the ways in which public monies are expended on children's services and for the quality of the services provided.

In certain situations, government is the steward of people as well. The provincial Government has a special role towards the children who receive the services it provides or sponsors. For the most part, children must depend on adults for protection and for their well-being. The Government has the final responsibility for ensuring that children, like other recipients of human services who, by reason of age or mental or physical incapacity, are dependent on others for protection and care, receive appropriate and adequate service. Standards, as discussed in the following section, are essential in the view of the Ministry to ensuring the adequacy of service and the accountability of the service providers.

The Function of Standards

Accountability on the part of either an individual or an organization implies not only the liability, but also the capacity, to be held to account for the performance of a given responsibility. The consultation paper, Day Nurseries: Proposed Standards and Guidelines, explained that standards, as defined by the Ministry, will specify the criteria against which the performance of persons, agencies or programs will be measured, and thus provide the basis for holding them accountable for their performance.

Standards, as so defined, must be expressed in precise, measurable terms. To have meaning as accountability measures, standards must be derived from the best existing knowledge and based on agreed-upon definitions and precise measurements, and they must be enforceable and enforced.

The standards currently being developed for children's services in Ontario define clearly and consistently the Ministry's expectations concerning the minimum acceptable quality of service to be provided in Ontario to children and their families. They address:

- the need for clearly defined descriptions or programs, and for consistency and congruence of the activities undertaken to deliver these programs
- a necessary minimum state or level of performance.

The standards are expressed in measurable terms, are incorporated into regulations under the Acts governing children's services, and set out the minimum levels of performance that will be required for receiving a licence. Ministry-operated programs as well as programs licensed by the Ministry are required to comply with the standards.

It should be stressed that the standards only require that activities the Ministry believes essential to ensuring the protection and well-being of children and accountability are carried out. There is no intention to dictate organizational practices. It is expected that requiring operators to develop stated policies and procedures and to introduce certain functions where these have not existed will yield the following benefits:

- better programming to meet the needs of children and their families
- protection for staff in the performance of their responsibilities
- more efficient operation and use of both internal and external resources.

Standards Development in Other Areas

Several sets of standards and guidelines have been developed by the Ministry for children's services in addition to those for day nurseries. The areas covered are the following:

- Children's residential care facilities: In 1978, the Ministry released a consultation paper, Children's Residential Care Facilities: Proposed Standards and Guidelines, containing proposals recognizing the similarity of the basic needs of all children and designed to apply to all residential settings for children within the Ministry's jurisdiction. These range from small, family style group homes to large, staff-model institutions. Standards of various kinds had been enforced through regulations made under the different Acts that historically governed the facilities. These standards focussed on physical concerns, primarily on the safety and health of children in care. Little reference was made to the programming required to meet the children's needs or to such essential management functions as planning and budgeting. In addition, the regulations under the different Acts were inconsistent, treating the same areas in different ways. Following consultation, the proposed standards were revised, incorporated into regulations under the Children's Residential Services Act, and phased into effect starting in 1981. In developing the final standards, the Ministry sought to reduce the overall volume and the specificity of the proposed requirements, retaining those standards it considered essential to ensuring the protection and well-being of the children in care and adequate monitoring of the service provided.

- Foster care: A paper released in 1981 for a two-year consultation period proposes standards and guidelines for foster care. The proposals reflect the importance attached by the Ministry to this community-based form of care for children who cannot be cared for in their own homes. The foster care standards, like those for supervised private-home day care, are directed towards placement agencies, which will be licensed to select and supervise foster homes and place children in the homes. The foster care standards will form the basis of a separate set of regulations under the Children's Residential Services Act.

- Child abuse: Issued in 1981, the Standards and Guidelines for the Management of Child Abuse Cases under The Child Welfare Act, 1978 by the Children's Aid Societies were developed to implement the recommendations of the Report of the Task Force on Child Abuse. The purpose of the standards and guidelines is to make the investigation and case management of child abuse cases by the Children's Aid Societies as uniform as possible throughout the province. At present, the Ministry is relying on the cooperation of the Societies in complying with these standards, and for this reason, they have not been incorporated into the regulations under the Child Welfare Act. The intention is to review the standards and guidelines on a regular basis to ensure their appropriateness.

- Camping programs: In 1980, following consultation with camp operators, the Ministry published The Outdoor/Wilderness Programs Handbook, setting out in guideline form recommended camping safety and environmental protection measures originally proposed for programs for children with special needs. The handbook is intended to provide operators of camping programs in general with the basis for assessing the adequacy of their current safety provisions and for determining needed improvements.

The Need For Revised Day Nurseries Standards

Although the Day Nurseries Act was revised in 1978[1], regulations under the new Act[2] were essentially those used with the previous Act. It was acknowledged that these regulations had a number of weaknesses. Primary among these was the lack of a suitable section to allow the licensing of private-home day care agencies. In addition, the regulations for group programs were seen to be so imprecise as to be ambiguous in some instances, were excessively complex in others, and were judged to be over-regulatory in many sections. To better meet the needs of the day nurseries community and the Ministry, it was decided to develop an entirely new set of regulations that would be:

- more precise and clearly understood
- simpler in format wherever possible
- less regulatory where the health, safety and the developmental needs of the children were not at risk.

The proposed changes in the regulations, developed by Ministry staff following a review of relevant literature and preliminary consultation with the day nurseries field, were presented for broad consultation in Day Nurseries Services: Proposed Standards and Guidelines, which was released in February 1980.

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1. Initially referred to as the Day Nurseries Act, 1978, the revised Act has been designated the Day Nurseries Act, R.S.O. 1980, c. 111 following routine consolidation of provincial legislation.

2. Regulation 235, R.R.O. 1980, subsequently amended by Regulation 818/81.

Guidelines

The consultation paper stated that the guidelines being developed as part of the standard setting process would contain less rigorously measurable provisions than the standards, and lack of adherence to the guidelines would not result in loss of a licence. The paper also stated that the guidelines, unlike the standards, would not be used as the basis of a service review. They were intended to serve different and more varied purposes than standards. Their first purpose was to set out preferred levels of performance that services can use for self-assessment purposes. Guidelines would also serve as a basis for consultative and developmental relationships between service providers, Ministry field staff, parents, and the community. As the paper stressed, many aspects of the quality of care are not easily regulated, and greater benefit is likely to be achieved through consultation and developmental activities.

Guidelines for day nurseries services are not included in this paper, although guidelines were an integral part of the consultation paper. The Ministry hopes to publish a guidelines document at some future time.

The Consultation Process

As the basis for consultation, the Ministry distributed Day Nurseries Services: Proposed Standards and Guidelines province-wide to more than 5,000 groups and individuals interested in the provision of day nurseries services to children and to community college early childhood education faculties.

Consultation meetings were requested in many communities, and efforts were made to accommodate all groups at times convenient to them. In all, more than 1,000 people attended the sessions. For a list of communities where consultation meetings were held, see Appendix A. Meetings ranged from two-hour evening sessions to full-day workshops. Often, meetings were jointly sponsored by the Ministry's area office and local community groups. Physical arrangements and panellists or discussion leaders were frequently provided by these groups. The degree of interest and concern demonstrated by all participants indicated the importance of extensive public involvement in the formulation of revised standards.

Written responses were requested for submission by September 30, 1980. A mail strike at the close of the consultation period delayed some briefs. Other groups and individuals continued to write over subsequent months. A total of 101 groups and individuals commented in written submissions. Those who responded to the proposals in writing are listed in Appendix B.

2. MAJOR ISSUES IN REVISING THE STANDARDS: A SYNOPSIS

While most people who responded to the consultation paper either at public meetings or in written submissions were in favour of most of the proposed standards, some proposals proved to be controversial. The policy issues involved have been satisfactorily resolved following review of relevant literature and further discussion with Ministry program supervisors. The resolution of these issues is discussed below, and is reflected in the revisions made in many proposed standards.

Group Programs

Human Resources

The major human resources issues raised concerning group programs were:

1. Program staff qualifications: Establishment of a system using measures of competency rather than the more usual academic measures of ability was proposed for day nurseries personnel in the consultation paper. It received reserved support. Professional groups particularly wanted reassurance that the equivalency would be valid, and not a means of granting credentials to individuals without skill or commitment. Because such a system appears to be extremely expensive and time-consuming to establish, the Ministry will not undertake to initiate it at this time. Instead, measures of academic equivalency to an approved program of early childhood education studies will continue to be used for supervisors in day nurseries. As at present, supervisors will be required to have two years' work experience in the field.

   For one program staff member with each group of children (as in Schedule 2 on page 58), an early childhood education diploma or the academic equivalent, including supervised practice, will be required. Other staff members working with the same group of children will not necessarily need formal training. A Ministry Regional Director has discretionary power to approve a candidate in special circumstances.

2. Group sizes and adult child ratios: The consultation paper gave two suggested group size and ratio scales. The numbers chosen are found in Schedule 2 on page 58. The revised standards take into account both current practice in Ontario and research findings on the effects of group size on the behaviour of children in day nurseries. Group size is specified as a multiple of an adult/child ratio for each age category chosen to ensure adequate programming for both the group and individual children. A uniform ratio is established for all centres, clarifying requirements, and establishing equity between centres.

Program staff members must be employed and assigned according to Schedule 2 unless otherwise approved by the Ministry. During specified times during the day, that is for 30 minutes during each arrival and departure time and while the children rest, operators may reduce the observed number of staff with children to two-thirds of the otherwise required number in order to allow staff a lunch break and to meet other contingencies.

Parental Involvement

An area of much concern during consultation was the amount of influence parents should expect to exert over their child's day care experience. Parents who are sharing responsibility with a day nursery operator or a private-home day care agency expect good communication with day care providers. They expect to be informed, to be consulted, and to make recommendations with regard to certain aspects of care. This is especially true where food and nutrition, the administration of drugs and outdoor play are involved. The final standard in each case reflects this concern, allowing parents a role in the decision about an individual child.

Physical Plant

The major physical plant issues with respect to group programs were:

1. Playgrounds: The size of playgrounds caused concerns among operators of centres in urban areas. The final standard requires a uniform area by capacity of centre, regardless of the age of the children. Up to 64 children may use a single area together. A centre with a capacity beyond 64 must use a playground divided for groups no larger than this or alternatively, a staggered schedule for the playground, to ensure safety and the development of constructive play behaviour out of doors.

2. Interior space: While the area required for interior play space remains unchanged at 2.8 sq. metres, the standard has been worded in such a way that it is clear that the intent is a measure of unencumbered play space, distinct from that used for storage, traffic flow, dressing and other secondary functions.

Private-Home Day Care Agencies

Human Resources

The major human resources issues in private-home day care were:

1. Home visitor qualifications: The agency home visitors who assess providers and their homes, who provide training and support for providers and who help parents identify their needs may be drawn from a variety of professions. The training required is an approved post-secondary program including specific child and family-related studies, and two years' work experience with children of appropriate age and developmental level. This enables agencies to maintain a mix of staff expertise, including early childhood education graduates, social workers, elementary school teachers, paediatric nurses and others. Each agency is required to review the professional skills and develop a training plan for all of its home visitors annually.

2. Home visitor workload: The number of homes supervised by each home visitor may not exceed 25. This ratio has been used as a guide for some time, and is recognized as a maximum, given the time and effort spent by the home visitor with each provider during the home development phase. Agencies may arrange supplementary staffing as agency policy indicates.

Parental Involvement

The same parental involvement in decisions about individual children is expected in private-home day care as in centre care. Decisions about the supervision of outdoor play and walking to kindergarten, as well as nutrition and administration of drugs are expected to include parent, provider and home visitor.

Exclusive Placement

The proposal that all children cared for by a private-home day care provider be placed in the home by the supervising agency has been deleted from the final standards as being too restrictive. The number of children not placed by the agency in combination with those placed by the agency must not exceed the agreed-upon home capacity. All children, including those cared for who are not agency-placed, must be immunized according to the local medical officer of health.

Handicapped Children in Designated Funded Programs

Reference to "Day Nurseries Services for Children with Special Needs" has been changed, because no satisfactory definition of "special needs" exists. The corresponding provisions in the final standards now refer specifically to centres that provide care for children with diagnosed handicaps, and have been approved by the Ministry for funding to provide specialized services to meet specific training or treatment needs.

The final standards stress individualized programs. Parents are to be apprised of the child's progress and the plans being developed for the child. Staff/child ratios established allow for individualized program planning and charting of progress, and staff are expected to have or to develop these skills, whether they are employed in a centre, an agency, or an in-home program. All staff must have an understanding of normal children, and are therefore required to begin with an early childhood education diploma.

The Volume of Paperwork Required of Operators

While the final standards increase the amount of written recording required of operators of group programs, keeping many of these records is already common practice. These are the records that state what may be expected in terms of the policy of the program and the services provided, and those containing health and other personal information on children and staff. The standards containing fire and safety recording practices continue existing requirements. The Ministry believes that such written records are essential, because they protect the interests of the operator, the children and their parents in the case of an incident affecting the safety and well-being of children while in the care of the operator.

Records necessary to the monitoring of service quality have likewise been specified in the standards for private-home day care agencies. As with group programs, it is believed that most large agencies already keep records of the types set out.

It will be noted that operators may be required to provide administrative and financial records to the Ministry. These are needed as a basis for the development of day nurseries policy, and the requirement is an existing regulation that is still considered appropriate.

The Cost of Implementing the Standards

A reading of the standards for group programs will show that most of the standards dealing with physical facilities are a more precise statement of existing regulations, and should not involve significant expense to operators. Inspections by fire and health authorities continue unchanged. Standards for human resources, with changes in required program staff/child ratios, group sizes and qualifications for program staff members, may in some instances involve added cost. Some small centres will be seen to require fewer members of program staff under new regulations, whereas larger centres may be required to employ more program staff to meet revised ratios. Most centres that now meet required ratios at all times during the day will also meet revised ratio requirements. When investigating current staffing practices, the Ministry found that few full-day centres would be unable to meet new ratios.

Some centres not now employing trained program staff with all groups of children will need to do so, and could incur a relatively small added cost. More than half of the day nurseries employees now working in Ontario already have suitable preparation. Some who have undertaken training not yet completed, or who make a commitment to complete training in the immediate future, may receive Ministry approval, in the interim, for the purposes of licensing. It appears likely that a relatively small number of programs will face significant staff cost increases brought about by implementation of this standard.

3. LICENSING AND MONITORING

The approach to licensing and monitoring of compliance with the standards that was proposed in the consultation paper has been retained essentially unchanged. The timing of the implementation of the new standards, the Ministry support that will be provided to operators and the procedures that will be used are outlined below.

The Timing of Implementation

The current enabling legislation, the Day Nurseries Act, R.S.O. 1980, c. 111, will remain in force. With the proclamation of the revised regulations containing the final standards, the former regulations will become void. It is expected that all the regulations will become effective on January 1, 1984.

A group program licence issued under the old regulations will continue to be valid for the period shown on the licence. Renewal of such a licence will take place on the anniversary of the licence. The operator will be required to comply with the new regulations under the first licence renewal issued after these come into effect.

Applicants for new group program licences and operators of private-home day care agencies seeking licences after the new regulations become effective will be required to comply with them from the outset.

Certain provisions in the new regulations will not be applied retroactively to programs licensed before these regulations take effect. The provisions are those of the Building Code Act, which itself does not apply retroactively to buildings constructed prior to 1975. Where renovations requiring a building permit are undertaken, the altered premises must meet the terms of the Building Code.

Ministry Support for Operators

The Ministry is preparing a licensing manual that will be used in the licensing process across the province, and will serve as a basis for judgements by program advisers regarding compliance by operators with specific regulations. This manual will list, in addition to each regulation, the intent of the regulation and one or more explicit indicators that show

compliance with the provision. The manual will be available to operators as well as Ministry staff. It will assist all parties concerned in meeting Ministry expectations by making requirements clear, and should give consistency to interpretations of regulations by Ministry staff. The Ministry expects to publish this document before the new regulations become effective.

During the next few months, the Ministry plans to hold meetings in all areas of the province for operators who wish to attend to receive orientation to the new regulations. These meetings will assist operators to understand the principles underlying the revisions and what will be required of them. Materials will be made available by the Ministry to assist in the development of systems for record keeping, in the calculation of required numbers of staff and in answering other general questions that might be anticipated as a result of changes in regulations. Program advisers, who will be well informed on the new provisions, can assist individual operators with questions about specific situations arising out of regulatory change.

The Approach to Licensing

The Day Nurseries Act requires premises that receive more than five children for the purpose of providing temporary care or guidance to obtain a licence as a day nursery. A person who provides private-home day care at more than one location must obtain a licence as a private-home day care agency. It is expected that licences for group programs for children will continue to be issued for a maximum period of one year, and private-home day care agencies will be licensed for the same period. The fee for issuance of a licence and renewal of a licence will remain unchanged.

Authority and responsibility for licensing have been delegated under the Act to the regional offices of the Ministry, and each Regional Director is responsible for making decisions on licence applications and renewals. Licensing will be carried out as follows:

- All day nurseries services and private-home day care agencies will be licensed, and the operator of a service will hold the licence. Operators will be licensed on the basis of compliance with the standards applicable to their services under the legislation. The operator will be required to obtain a licence for each day nursery or private-home day care agency operated, and licensing decisions will be made independently for each.

- A regular licence will be granted if a day nursery or private-home day care agency complies with all of the standards.

- A nursery or agency applying for a licence for the first time will, upon demonstrating that it has undertaken to meet the standards, be issued a six-month probationary licence. During the six-month period, it will hire staff, enrol children, and become operational. It must then apply for a regular licence.

- Where the health and safety of the children are not in doubt, a provisional licence may be granted with time-limited provisions for a specified period not exceeding one year to enable an operator who does not meet all the standards to do so. Either a regular or a provisional licence may also set out such specific terms or conditions relating to licensing issues as the Regional Director may prescribe. The terms or conditions may be time limited or renewable with each re-issuing of a licence.

- If there are valid and acceptable reasons that would prevent an operator from complying with a specific standard, an exemption from compliance with the standard may be granted. The Ministry's intent is not to encourage requests for exemptions, but rather to allow sufficient flexibility to accommodate those few programs which may have good cause for making such a request due to environmental, physical or other circumstances that are beyond the operator's capacity to change. The Ministry will provide a procedure for reviewing and approving requests for exemptions for particular standards.

An operator denied a licence or a licence renewal for a day nursery or a private-home day care agency, or issued a regular or provisional licence on terms or conditions which the operator finds unacceptable, may appeal the decision to the Children's Services Review Board. The operator or any other party affected by this board's decision may further appeal on the facts or the law to the divisional Court of the High Court of Justice for Ontario, which hears appeals from the decisions of administrative tribunals.

Review of Compliance with Standards

Ministry field staff will review the compliance of both group programs and private-home day care agencies with standards for the purpose of licensing. A notice of licence renewal will be sent to a program three months before a regular licence is due to expire. A Ministry program adviser will carry out the necessary review, and document compliance with standards. Findings will be shared with the operator before development of a final written report. This report will be provided to the Area Manager, the Regional Director, and where applicable, the local coordinating and advisory group for children's services, as well as the operator concerned.

Where it is deemed appropriate by the Regional Office to do so, a review team may be established to conduct a standards review for a day nursery or private-home day care agency. This might be of assistance where an operator is experiencing continuing difficulties in meeting standards, or provides service through a complex program that would benefit from expert assessment by a small group with varied backgrounds. Such a team would include the area consultant in early childhood education and such other members as are judged by the Regional Office to be needed for the specific review. It is not anticipated that this form of assessment will be used frequently.

Guidelines that may be subsequently published by the Ministry will not be used as part of the standards review process, but rather to indicate preferred practice, and to serve as a basis for discussion and ongoing consultation between Ministry field staff, service providers, parents, and the community. Guidelines are particularly important in aspects of the provision of service where adequate measures do not exist, and enforcement would be problematic.

4. HOW TO READ THE DETAILED COMMENTARIES AND REVISIONS

The chapters that follow present in detail the Ministry's response to the comments received on specific proposals during consultation and the revisions subsequently made in the final standards.

General Organization

The topics covered appear in the same sequence as in the consultation paper. Chapters 5 through 8 present commentaries on and revisions made in the proposed standards for the following aspects of day nurseries:

- o programming
- o physical plant
- o human resources
- o organization and management.

Chapters 9 and 10 review the response to and the revisions of the proposed standards for private-home day care agencies and specialized day nurseries services.

To assist the reader, the original proposals are reproduced in full within these chapters with the indented notations:

> Proposed Standard or
>
> Proposed Standards

and, as in the consultation paper, are set off by grey shading.

Each proposed standard or grouping of proposed standards is followed by a commentary summarizing the response during consultation and the resulting decisions taken by the Ministry, then by the standard or standards in final form.

The final standards are bordered in black where they appear in these chapters, and introduced by the indented notations:

> **Final Standard** or
>
> **Final Standards.**

The system of topic headings and the numbering system used in the consultation paper to facilitate cross-referencing have been retained. It has been necessary, however, to renumber many of the standards. Some standards have been deleted, and others have been combined. In a few cases, standards have been added. In addition, some standards topics have been retitled. Where such changes have been made, the commentaries specify the new numbers and/or new titles of the final standards.

Changes in Wording

Significant changes in phrasing are explained in the commentaries. Minor grammatical and punctuation changes are not discussed. It should be noted that, in the interest of consistency, clarity and simplicity, the terms "the operator" and "the day nursery" are used throughout the final standards, replacing the more general "every operator" and "every day nursery". Since these changes are cited here, they will not be noted in connection with individual standards.

Cross-Referencing

A cross-reference from one standard to another is made by number. For example: (SEE: HRS-01.6).

Glossary of Terms

Program-related terms and others that are used in a specific sense in this paper or may be unfamiliar to persons not engaged in day nurseries services, are defined in a glossary presented as Appendix C.

Requirements for Documentation

A summary of all documentation required by the final standards appears in Appendix D.

The Complete Set of Final Standards

To make it possible to read the final standards as a body, the complete set is contained in Appendix E.

5. DAY NURSERIES PROGRAMMING

The Principles

The following principles have guided the development of the standards for day nurseries programming.

1. Self-Concept: Programs should build in each child a positive concept of the self as an individual and as a member of a family and a community, and a feeling of being secure and accepted regardless of differences in development and need for support, assistance and direction.

2. Socialization: Programs should provide opportunities for the children to learn and play together and share experiences, to learn to get along with others, to accept limits in terms of discipline and rules, and to develop self-discipline and self-control.

3. Intellectual Development: Programs should provide opportunities for the children to develop self-expression and knowledge by developing language and skills for reasoning and creative thinking, and learning to understand and control the physical world.

4. Physical Development: Programs should provide opportunities to enhance the gross and fine-motor development and body co-ordination of the children.

5. Family Involvement: Programs should share and co-ordinate information with the parents of the children with regard to child-rearing practices and expectations concerning the children's development.

6. Accountability: Programs should provide information about their service to users, the community and the Ministry.

7. Evaluation: Programs should regularly assess the effectiveness, appropriateness and efficiency of particular activities, and should incorporate the results of these assessment into the service; results of assessments should be communicated to those responsible for the management and the supervision of the programs.

The healthy development of the child is directly related to the quality of the care the child receives in the early years. This is true whether the care is given entirely by the parents or is shared with other adults for a part or all of the day. In many respects, the individual's development not only in childhood but also into maturity is greatly influenced by experiences early in life as he progresses through various sequences of development.

Some life tasks appear to be developmentally critical in that they are the foundation of future growth. Some of these appear to be bound by limits of time in that they are related to stages of physical maturation.

The relationship between poor nutrition in infancy and early childhood and poor dental health in the young adult is a well-known example of the outcome of inadequate care. Research in other areas leads us to believe that if adequate and appropriate intellectual stimulation is not provided in infancy and early childhood the young adult may not lead a full intellectual life.

Most of life's important skills require practice; mastery of one allows progression to the next. Children need the opportunity and the environment to attempt new tasks and to build upon the skills they acquire with the support of an adult who understands this need, and has the emotional, intellectual and material resources to meet it.

Difficulties may arise for a child whose early environment lacks one or more elements normally present, such as emotional warmth or the space to move freely. Children who "miss out" at one level need to learn to compensate for this lack in the future. They may need remedial help to maximize what strengths they have and offset those areas in which they are weak. Remediation is inevitably more costly financially, emotionally and in the loss of potential than is the provision of adequate care from the outset.

Adequate care, whether given in a home or in another setting, is care that meets the developmental needs of the child in every area, social, emotional, physical and intellectual. Only in this manner can children be expected to develop well and assume a full and responsible role in society as adults.

The Programming Proposals

With a few exceptions, the proposed programming standards expand upon or refine those in the current regulations under the Day Nurseries Act. While the proposals were generally well received during consultation, a number of concerns were expressed. These were debated at length in an attempt to resolve the issues involved satisfactorily. Some standards have been altered or deleted as a result.

Many responses indicated that parents want to play an active role in decisions about day-to-day aspects of child care even when they are confident that care is of good quality. Parents expect to make responsible choices, within the capability of the program and in consultation with staff, in matters of diet, administration of drugs and outdoor play for individual children. The final standards show this intent.

The proposed requirement for a program statement has been retained with minor changes. As discussed in the consultation paper, this document will enable parents to make pre-placement comparisons and informed choices among alternative kinds of care, and also establish a basis for reviewing the program's operation and thus for supportive consultation by the Ministry program adviser.

The nutrition standards, which regulate an important aspect of day nurseries services and have long-term implications for children's development, received the greatest amount of feedback during consultation. The final standards have been revised and expanded to reflect concerns about the specific nutritional requirements of children, protection of children from food allergies and methods of storage to ensure that food retains maximum nutritive value and is free from contamination.

The time required for rest was also discussed extensively. A careful examination of the responses to the proposals regarding rest revealed no consensus. In light of the diverse reaction, it was agreed that the prescribed rest period should meet the individual child's need for rest without infringing on patterns of sleep in the home. The final standards dealing with rest have been revised accordingly.

The role of the local health authority has been unclear under current day nurseries regulations, although the local medical officer of health has clearly defined powers in the community under the Public Health Act. A final standard clarifying this role requires the operator of a day nursery to follow any direction or order of the local medical officer of health in matters concerning the personal and health care of the children. Several highly specific proposed standards dealing with personal and health care have therefore been deleted.

Documentation proposals also drew considerable comment. In response to a great many concerns about the requirement for a daily log recording major deviations from the program, the final standard has been revised to require simply a daily written record including a summary of any incident affecting the health, safety or well-being of the children and staff. The intent of the revised wording is to permit a flexible approach to recording while ensuring that a record is kept of unusual occurrences in the day nursery.

The Program Standards

Proposed Standards

P-01 **Program Statement**

PS-01.1 **Every operator of a day nursery shall have a written statement outlining the program philosophy and method of operation of each of its nursery programs, and this statement shall be readily available upon request. This statement shall specify:**

a) the children who may be enrolled in terms of age range, handicaps, if any, and the number by age and handicap

b) the length of operating day, week and year

c) the particular approach to programming that is followed, including

- **i) philosophy**
- **ii) daily program schedule or timetable**
- **iii) individual program plans for handicapped children**
- **iv) personal care**
- **v) parental involvement**
- **vi) behaviour and guidance**
- **vii) specialized services. (SEE also: OMS-01.1.)**

P-02 **Daily Program Schedule**

PS-02.1 Every day nursery operator shall establish a written daily program schedule for each day nursery operated. The schedule shall be posted in the day nursery and available for inspection at all times. Major deviations from the schedule or timetable shall be recorded in the daily log. (SEE: PS-09.1.)

PS-02.2 The daily program schedule shall include but not necessarily be limited, to the following:

a) group and individual activities
b) activities designed to provide gross and fine motor, cognitive, social and emotional development
c) active and quiet play.

Commentary

Responses to these proposals during the consultation process were varied, and resulted in a number of changes.

Part (a) of proposed standard PS-01.1 has been revised to read "services offered and age range served", and "holidays observed" has been added to part (b). A new part (c) specifying "fee schedule" and "admission and discharge policy" has been added. In the former part (c), which becomes part (d) of the final standard, the daily program schedule or timetable has been changed to "program development", and references to "nutrition" and "excursions off the premises" have been included. Two respondents commented that the written statement should be posted in the day nursery. However, the statement may be quite long, and as it is to be readily available upon request, posting it is unnecessary. It was asked as well that "specialized services" be clarified. These would include any service offered that fills the unique needs of a child and family, such as speech therapy or transportation.

The requirement that the written statement be reviewed annually, originally contained in proposed standard OMS-01.2, has been added to this section, as this was considered a more appropriate place for it. The final standard is renumbered PS-01.2.

There was some concern that the requirement of a written daily program schedule in proposed standard PS-02.1 would result in repetitive scheduling. However, the proposal has been retained, as a program schedule is important for purposes of organization and planning, and children need to be able to anticipate daily events in order to feel secure in their environment. The

standard does not restrict the range of activities offered, but requires only that a time frame be established. The revision of proposed standard PS-02.2 to specify "a varied and flexible" daily program plan including "activities appropriate to the developmental levels of the children" further clarifies that programming is to include a variety of changing activities geared to the needs of the children. There was a suggestion that reference to quiet play be deleted, as children do not necessarily learn more efficiently when kept quiet. However, the reference to quiet play does not mean keeping children quiet, but rather offering activities such as reading or listening to music, which are low-key in nature.

"Major deviations" in proposed standard PS-02.1 has been changed to read "major variations" for clarification. The reference to the daily log has been deleted, to reflect the wording of final standard PS-06.3, which now requires simply a daily written record of any incident affecting the health, safety or well-being of the children. The phrase "and available for inspection" has been deleted, as the schedule must be posted, and thus will be readily available.

Final Standard

P-01 **Program Statement**

PS-01.1 The operator of the day nursery shall have a written statement outlining the program philosophy and method of operation of each of its nursery programs, and this statement shall be readily available. This statement shall specify:

a) services offered and age range served

b) the length of operating day, week, year and holidays observed

c) fee schedule and admission and discharge policy

d) the particular approach to programming that is followed including:

i) philosophy
ii) program development
iii) individual program plans for handicapped children
iv) personal and health care including nutrition
v) parental involvement
vi) behaviour and guidance
vii) specialized services
viii) excursions off the premises.

PS-01.2 The written statement outlined in PS-01.1 shall be reviewed annually by the operator as part of the process of licence renewal.

P-02 **Daily Program Schedule**

PS-02.1 The operator shall establish a written daily program schedule for each day nursery operated. The schedule shall be posted in the day nursery. Major variations from the schedule shall be recorded in the daily written record. (SEE: PS-06.3.)

PS-02.2 The daily program plan shall be varied and flexible, and include but not necessarily be limited to opportunities for the following activities appropriate to the developmental levels of the children:

a) group and individual activities

b) activities designed to promote gross and fine-motor skills, language and cognitive, social and emotional development

c) active and quiet play.

Proposed Standard

PS-02.3 **There shall be provision in the schedule so that:**

a) children not yet able to walk are separated from other children during play periods

b) children under six years of age are separated from older children during play periods.

Commentary

During consultation there was general support for the intent of this standard. Most respondents agreed that it was important for small children, especially infants, to be protected from the active play of older children. However, a major concern was expressed that the wording proposed did not take non-walking handicapped children into consideration. As a result of the comments, the final standard makes separate provision for infants and toddlers (children from birth to 18 months and from 18 to 30 months respectively, as discussed in the following chapter) and for handicapped children.

Several respondents pointed out that practical difficulties during some periods of the day would make compliance problematic. Some suggested that arrival and departure times be exempted because there is not enough staff during these times to have older children separated. Others considered that separation should occur only during specific play periods or at specific times during the day. On the basis of these suggestions, the final standard has been revised to require provision for separation of infants, toddlers and preschoolers "during active indoor and outdoor play periods". This allows program flexibility while providing for safe, unrestricted active play appropriate to the age, developmental level and physical condition of the children.

Many submissions requested that the standard require that individual needs be met. A requirement so worded usually produces extreme difficulty in intepretation and enforcement, and is therefore to be avoided even when this is the intent. Also, the standard requires "provision in the schedule" for separation of the children at specified times during the day. Family grouping remains possible at <u>appropriate</u> periods.

Final Standard

PS-02.3

There shall be provision in the schedule so that:

a) Infants not yet able to walk are separated from other children during active indoor and outdoor play periods.

b) Children under 30 months of age are separated from other children during active indoor and outdoor play periods, except in the case of handicapped children.

c) Children under six years of age are separated from older children during indoor and outdoor play periods, except in the case of handicapped children.

<u>Proposed Standards</u>

PS-02.4

Each child more than two years of age in attendance for a full day shall play outdoors for at least two hours each day, weather permitting, unless a physician advises otherwise.

P-04	**Rest**
PS-04.1	**The program schedule shall include provision for each child under the age of 18 months in attendance for a full-day session to sleep or play outdoors for up to two hours when the weather is suitable unless a physician advises otherwise.**
PS-04.2	**The program schedule shall include provision for each child between the ages of 18 months and 30 months, both ages inclusive, in attendance for a full-day session to have a rest period of one hour.**
PS-04.3	**The program schedule shall include provision for each child between the ages of 30 months and five years, both ages inclusive, in attendance for a full-day session to have a rest period of 30 minutes to one hour.**

Commentary

In the interest of clarity, these proposals have been revised jointly and combined in a single final standard numbered PS-02.4. There was some confusion as to whether proposed standard PS-04.1 was intended to ensure a rest period or provision for outdoor play. It is important that children be exposed to fresh air and sunlight daily; infants and toddlers very often use a portion of their outdoor time to sleep. To accommodate the needs of infants and toddlers, part (a) of the final standard specifies that children under 30 months of age are to spend two hours outdoors for sleep or play each day. Whether or not the time spent outdoors involves sleep or play depends on the needs of the individual child.

During consultation, the point was raised that parents have primary responsibility for their child, and should be able to advise the operator that their child should stay indoors in certain circumstances. Parts (a) and (b) of the final standard therefore provide for advice to this effect in writing from a parent or guardian.

There was some concern that two hours a day of outdoor play would be inappropriate for many handicapped children. However, this provision does not apply to handicapped children in half-day segregated programs, and where a handicapped child is in a group program, half the day is a specialized program while the other half day is day care. Therefore the child is technically not in a full-day program, and would be exempted from a full two hours a day of outdoor play. It is expected that an individualized program plan for each handicapped child would include some outdoor activity.

Proposed standards PS-04.2 and PS-04.3 generated considerable comment, specifically with respect to the amount of rest time required. Recommended rest periods ranged from 30 minutes to three hours, to a rest period suited to the individual child's needs with a maximum of two hours, to a rest period defined in terms of a minimum length of time required to prevent the unnecessary awakening of sleeping children. As the need for rest and sleep varies greatly at different ages and among children of the same age, the proposals have been combined in part (c) of the final standard, which requires a rest period of up to two hours following the mid-day meal. This provision recognizes that some children who are tired take a relatively long time to relax and fall asleep, but that rest at the nursery should not be so long that normal sleep patterns at home are disrupted. Rest requirements for children attending day nurseries that offer extended hours of care might vary, and would be covered under final standard OMS-02.1, which deals with day nurseries licenced subject to additional terms and conditions.

Part (d) of the final standard has been added in response to the comment that more mature children do not sleep in the afternoon, and an hour of rest is sufficient to provide them with quiet relaxation.

Final Standard

PS-02.4

There shall be provision in the schedule so that:

a) Each child under 30 months of age in attendance for a full day shall be outdoors for sleep or play for a period of up to two hours each day, weather permitting, unless a physician or parent or guardian advises otherwise, in writing.

b) Each child more than 30 months of age in attendance for a full day shall play outdoors for at least two hours each day, weather permitting, unless a physician or parent or guardian advises otherwise, in writing.

c) Each child between the ages of 18 months and five years in attendance for a full-day session shall have a rest period of up to two hours following the mid-day meal.

d) A child unable to sleep shall not remain in bed for longer than one hour.

Proposed Standard

PS-02.5

The program of a day nursery shall provide for the grouping of children in accordance with the limits set out in Schedule 1.

Commentary

Though minimal, the feedback received on this proposal was supportive. Further consultation with Ministry personnel, however, indicated some concern regarding the apparent overlap with proposed standard HRS-01.1, which dealt with program staff/child ratios. The provision has therefore been revised to focus on the assignment of staff duties, and has been transferred to the human resources standards as part of final standard HRS-01.5, which deals with reductions in program staff/child ratios allowed for specified periods of the day.

Proposed Standards

P-05 **Nutrition**

PS-05.1 Each day nursery shall have a written menu and shall serve food that conforms to the provisions of Canada's Food Guide issued by Health and Welfare Canada.

PS-05.2 The day nursery shall provide:

a) feedings to each infant under one year of age in accordance with written instructions from the parents or guardian regarding type and scheduling, to meet the nutritional needs of the infant during the period of attendance

b) meals for each child more than one year of age who attends the program for more than four hours a day

c) between-meal snacks for all children more than one year of age according to Canada's Food Guide

d) amounts equal to one-third of the required daily intake.

Commentary

The sequence and content of these standards have been changed because the nutritional requirements for infants are significantly different from those for older children.

Part (a) of proposed standard PS-05.2 generated considerable comment during consultation. While some respondents supported part (a) as written, many considered that infants should be fed in accordance with written instructions from a physician rather than the parents or guardian. However, it is parents who ultimately determine the amount, type and scheduling of new foods, although they usually consult their child's physician about dietary matters. Parents should therefore have an active role in planning their child's nutritional intake during the hours of attendance in the day nursery. A separate final standard numbered PS-03.1 acknowledges the importance of an individualized feeding program for infants that is developed jointly by a parent and the operator to ensure that the infant's nutritional needs are met.

Provisions regarding the handling of formula were requested in several submissions. These specifications have been incorporated in the final standard. Requirements concerning the storage, preparation and serving of food have also been added to this final standard and to the following standard. Because children eat small portions, only food of high nutritional quality should be used to ensure the maximum nutrient intake by each child. Correct procedures for food storage, preparation and service contribute to the retention of nutrients.

Although some respondents supported proposed standard PS-05.1, many considered that the requirement to "provide food that conforms to the provisions of Canada's Food Guide" was inadequate. Several submissions recommended deletion of the phrase "shall serve food", on the basis that it had no real meaning as used, and changing the wording to require the day nursery to "...plan and follow a written menu that conforms to the provisions...". Others suggested that the standard could be made more specific by requiring the day nursery to "serve a variety of food of a quantity and quality to meet the nutritional needs of children during the period of attendance".

In addition, many respondents stated that it was necessary to define "meals" more precisely than was done in part (b) of proposed standard PS-05.2, and offered different suggestions as to how this could be accomplished. Some respondents pointed out that Canada's Food Guide outlines daily recommended food intake, but does not outline recommendations for a balanced meal. These submissions considered that the standard should clarify what food constitutes a meal by listing the food groups in Canada's Food Guide. One submission suggested that Canada's Food Guide might be insufficient for young children, and should only be used as a minimal guideline. Also, specification of a time during which the the meal is to be served was recommended.

These comments were reviewed and discussed extensively with Ministry personnel, and several of the suggestions have been incorporated into the final standard dealing with the nutritional requirements of children one year of age or older. Numbered PS-03.2, it is intended to ensure that children are provided with the basic nutrients necessary for growth and development. It requires the provision of a "balanced meal at an appropriate meal time". It also refers to a schedule that corresponds to Canada's Food Guide and cites the specific food groups considered to constitute a meal. The Ministry believes that the variety of food prescribed for a meal is of a quantity and quality to meet the nutritional needs of the children during the period of attendance. Although reference to the number of hours a child attends the program has been omitted from the final standard, the operator is obliged to serve a meal to all children present at the day nursery's meal time unless there is a written agreement with the parents to the contrary.

Numerous submissions suggested that provision of a meal for children attending kindergarten and/or for school-aged children be optional. The final standard acknowledges that some programs for children more than five years of age currently offer different feeding arrangements than those indicated in the standard. To promote the development of school-age care and allow flexibility in accommodation and staffing of such programs, the final standard permits the Director to allow operators serving only school-aged children to make alternative meal arrangements where it is considered appropriate.

One group recommended combining parts (b) and (d) of proposed standard PS-05.2. Although the meal served by the nursery under part (b) should make a substantial contribution to the child's required daily intake, the proportion of the daily intake specified in part (d) was intended to include the between-meal snacks specified in part (c). The meal and intake requirements are therefore stated separately in the final standard.

Many respondents objected to the word "snacks". Some recommended changing the word because of its negative connotations, while others suggested inclusion of a variety of criteria to add greater specificity. The wording of the final standard is intended to clarify the intent that snacks are to be considered as part of the total nutritional program; they are expected to provide nutritional value as well as refreshment, and not to be detrimental to dental health. The Ministry will provide further advice and information to assist operators in planning appropriate snacks.

In response to part (d), it was generally agreed that amounts of food served during the day should constitute a greater part of the daily intake. Preschoolers in full-day programs depend on the food served for the energy to sustain them through the day's activities, and often are too tired to eat a full meal at home in the evening. Some respondents considered part (d) to

be unmeasurable because no criterion for gauging required daily intake was indicated. The final standard has been amended accordingly. It specifies that the food served children in attendance for six hours or more must total a minimum of half the required servings from each food group as defined in Schedule 1. Children in attendance for a shorter part of the day will receive a meal and/or snack(s) depending on their arrival and departure times, but the amount of food served these children is not expected to equal half their daily requirement.

Many respondents requested addition of a requirement for food service to be supervised by a nutritionist or other person knowledgeable about nutritional requirements of children. This issue was discussed at length with various Ministry personnel. Requiring all centres to obtain the services of a professional nutririonist might result in additional cost to some. Also, supervisors, who are usually involved in menu planning and budgeting, and trained staff acquire fundamental nutritional information during their studies. The Ministry therefore considers these staff capable of carrying out a monitoring function. Thus the final standard does not include such a provision. Nurseries are free to seek advice from a number of sources, such as health units, local boards of health, professional dieticians and Ministry staff should a problem arise.

One respondent commented that a standard requiring food preparation and meal times to foster learning and enjoyment should be included. The Ministry agrees that meals should be a learning experience for the children and enjoyable for all present. However, enforcement of such a regulation would be impossible. Therefore, it has not been added to the final standards.

Another submission suggested that it was necessary for each child to have his own toothbrush. Such a requirement would fall within the jurisdiction of the local medical officer of health, whose role in specifying the personal and health care practices of the day nursery is discussed on pages 35-37.

Final Standards

PS-03	**Nutrition**
PS-03.1	In a day nursery where infants are in attendance:
	a) Each infant under one year of age shall be fed in accordance with written instructions from a parent or guardian regarding amount, type and scheduling.
	b) Where nourishment is supplied by a parent or guardian, it shall be labelled with the child's name.
	c) All nourishment shall be stored, prepared and served so as to retain maximum nutritive value, and to prevent contamination.

PS-03.2

The operator shall provide for each child more than one year of age attending the day nursery:

a) a balanced meal at an appropriate meal time consisting of at least: one serving from milk and milk products; one serving from meat and alternates; one serving from bread and cereals; two servings from fruits and vegetables as outlined in Schedule 1, unless otherwise approved in writing by the Director for children more than five years of age

b) foods between meals at appropriate times that promote good dental and nutritional health

c) food totalling a minimum of half the required daily servings from each food group as shown in Schedule 1, for children in attendance for six hours or more

d) food that is stored, prepared and served to retain maximum nutritive value, and to prevent contamination.

Schedule 1

Food Group	Number of Daily Servings
Milk and milk products	2 to 3 servings
Meat and alternates	2 servings
Bread and cereals	3 to 5 servings
Fruits and vegetables	4 to 5 servings

Proposed Standard

PS-05.3

Written menus for children attending a day nursery shall be planned at least two weeks in advance, and shall be posted in the nursery and available for inspection at all times. Deviations from planned menus shall be documented in writing in the daily log. (SEE: PS-09.1.)

Commentary

Most responses to proposed standard PS-05.3 were supportive, although several changes were suggested. One submission considered that the requirement to record both menus and changes in planned meals might lead nurseries to avoid any changes, and offer dull, repetitive meals that the children would reject. Careful planning is essential for the children's nutrition and health and for good financial management. It is important for parents to know what food the child has been served when planning meals at

home. If a child becomes ill, it is important to be able to trace the child's intake. To reduce the time involved in documentation, the final standard simply requires that substitutions served to the children be recorded on the posted menus, which the nursery must retain for 30 days. The final standard is renumbered PS-03.3.

One group suggested that planning menus only one week in advance would allow greater flexibility in the type of meals provided. The final standard has been amended to reflect this suggestion.

It was also suggested that nurseries be required to arrange for a community nutritionist to be consulted and to inspect their facilities on an annual basis to ensure that nutritional requirements are met. The feasibility of including such a requirement was discussed with Ministry personnel. It has not been incorporated in the final standard for several reasons. Although community nutritionists are available in most communities in the province, centres situated in other areas would incur increased costs if required to hire a professional. As discussed above, the Ministry considers that supervisors and trained staff receive basic nutritional knowledge from their courses. If a problem arises, a number of existing reputable sources of advice can be consulted. The requirement for menus to be retained for 30 days allows for comparison of the variety of food offered from week to week, and assists in planning and monitoring of nutritional content.

As a result of consultation, two standards have been added. The outcome of allergic reactions to certain foods may be serious. Final standard PS-03.4 therefore requires that a list of known allergies of individual children be readily available in areas where food is prepared and consumed, so that the children are not served foods that will cause allergic reactions.

Final standard PS-03.5 requires completion of written instructions from the child's parent(s) where a day nursery agrees to accept a child who needs special foods and/or feeding arrangements. It is essential for parents to provide operators with specific instructions regarding their child's diet and for the responsibilities of both parties to be clearly stated.

Final Standards

PS-03.3	Planned menus for the current week and the week following shall be posted in a conspicuous place in the day nursery. Posted menus shall indicate any substitutions served to the children. Menus shall be retained for 30 days.
PS-03.4	The names of children who suffer food allergies and their respective allergies shall be posted in cooking and serving areas.

PS-03.5 | Special dietary or feeding arrangements for a child in attendance in the day nursery shall comply with written instructions from a parent or guardian. (SEE: PS-06.1(n).)

Proposed Standards

P-03 **Personal Care**

PS-03.1 A day nursery for children less than 18 months of age shall:

a) establish sanitary procedures for changing diapers

b) use disinfectant for sanitizing changing and eating surfaces, toys and other objects handled by the children.

PS-03.2 A day nursery for children from 18 months of age to 30 months of age shall establish a sanitary procedure for changing diapers.

PS-03.3 Each child shall have a personal wash cloth and towel, or the day nursery shall supply disposable cloths and towels.

P-06 **Health Care**

PS-06.1 The day nursery shall ensure that:

a) Before admission to the program, each child shall have immunization as required by the local medical officer of health.

b) The child shall be immunized thereafter as required by the local medical officer of health.

Commentary

Clarification was sought during the consultation process as to the responsibilities and enforcement power of the local medical officers of health with respect to personal and health care practices and sanitary procedures within a day nursery. Final standard PS-04.1 has been added to clarify their role, and the sections on personal care and health care have been combined as a result. Because it is appropriate for public health officials to make the decisions regarding hygiene within the nursery, proposed standards PS-03.1 through PS-03.3 have been deleted from the final standards.

Throughout the consultation process, proposed standard PS-06.1 generated considerable comment. While it was supported by some respondents, several issues were raised. Two submissions commented that the proposal was contrary to proposed guideline PG-07.1, which states that immunization is to be encouraged rather than enforced. To rectify this apparent contradiction, they suggested that the standard be changed to read "each child shall be encouraged to be given immunization". However, the intent of the proposal is to outline a minimum requirement for preventive health care in day nurseries. The guideline indicates a preferred practice that extends beyond the requirements of the local medical officer of health. This suggestion has not been included in this document because it contains only final standards.

One respondent was concerned that her county's medical officer of health only had recommendations rather than requirements regarding immunization. Since this matter falls within the jurisdiction of health authorities, it is appropriate for them to decide what is necessary for a particular community. Individual operators are not prevented from developing requirements that exceed the local health policy. An exemption clause has been added to the final standard, consistent with the Immunization of School Pupils Act.

Many respondents stated that in addition to immunization, the child should be given a pre-admission and/or annual health assessment either by a licensed physician or as required by the local medical officer of health. Some suggested that the standard also specify the various components of the health assessment, such as hearing and vision screening and a stool specimen that is negative for giardiasis. Other suggested that the standard require a note to be presented stating that the child is free from communicable disease. Again, it should be emphasized that this proposal sets out a minimum preventive health care requirement. Operators may set more specific standards if they wish to do so.

Three submissions asked that the requirement for immunization be qualified by the phrase "appropriate for the child's age level". This specification has not been incorporated in the final standard because local medical officers of health take age into account in developing their requirements.

Two respondents suggested the addition of a provision requiring a public health nurse to make regular visits. This has not been included in the final standard because the local medical officer of health must make an annual visit to each day nursery. Should the need arise, the public health nurse will provide support and guidance.

Several submissions addressed the issue of maintaining records of the child's immunizations. Some respondents stated that the day nursery should keep a record of the necessary immunizations for each child, and these should be checked off as the child receives them. The final standard does not make

any reference to records because part (k) of final standard PS-06.1 states that each child's personal file must include a record of immunizations. To specify a mechanism for monitoring the immunization schedule would be over-regulatory and intrusive in day nurseries operations.

Several respondents suggested that there should be a general policy against smoking except in designated areas. This aspect of health care was also discussed extensively by Ministry staff and health personnel during consultation. While the Ministry agrees that such a policy is desirable, it believes that including it in the final standards would be over-regulatory. The Ministry also considers that this goal can be accomplished through other means than regulation. The final standard is renumbered PS-04.2.

Final Standards

P-04	**Personal and Health Care**
PS-04.1	The personal and health care practices of the day nursery shall comply with any direction or order of the local medical officer of health.
PS-04.2	The day nursery shall ensure that before admission to the program and from time to time thereafter, each child shall have immunization as required by the local medical officer of health, except where a parent or guardian files with the operator a statement of exemption for reasons of health or religion.

Proposed Standard

PS-06.2	**A daily inspection of every child in the day nursery shall be made by a member of the program staff, before the child begins to associate with other children to detect symptoms of ill health, communicable disease and child abuse; any of these symptoms shall be noted in the daily log.**

Commentary

While there was general agreement on the intent of the proposed standard, the majority of respondents objected to the term "daily inspection", and suggested that it be changed to "daily observation". The final standard, which is renumbered PS-04.3, incorporates this change. Reference to communicable disease has been deleted, as this would be covered by "ill health". Any symptoms of ill health or child abuse are to be noted in the child's personal file as part of the child's history in the centre rather than in a general written record, as this information may be of a confidential nature.

Final Standard

PS-04.3 A daily observation of every child in the day nursery shall be made by a member of the program staff, before the child begins to associate with other children, to detect symptoms of ill health or child abuse; any such symptoms shall be noted in the child's personal file. (SEE: PS-06.1(l).)

Proposed Standard

PS-06.3 Suspected cases of child abuse shall be reported immediately as required by The Child Welfare Act, 1978.

Commentary

Since the requirement for immediate reporting of suspected child abuse in this proposed standard is mandatory in the Child Welfare Act, it has been deleted from the final standards.

Proposed Standard

PS-06.4 Any child in a day nursery who develops symptoms of serious illness shall be encouraged to remain in a quiet, supervised area designated for rest and care, until the child can be examined by a licensed physician or a nurse registered under The Nurses Act, or until the parent or guardian can take the child home.

Commentary

Half of the responses to this proposed standard stated that any ill child should be placed in a quiet, supervised area away from other children. The final standard incorporates this suggestion. The reference to the Nurses Act has been amended to the Health Disciplines Act after consultation with Ministry personnel. One writer called for the inclusion of a procedure for dealing with any communicable diseases found in a day nursery. This concern, however, falls under the jurisdiction of the Public Health Act. The final standard is renumbered PS-04.4.

Final Standard

PS-04.4 Any child in the day nursery who develops symptoms of serious illness shall be separated from other children and supervised in a quiet area until the child can be examined by a licensed physician or a nurse registered under the Health Disciplines Act, R.S.O. 1980, c. 196, or a parent, guardian or authorized person calls for the child.

Proposed Standard

PS-06.5 **Where a serious accident, illness or death occurs to a child in a day nursery, the supervisor shall promptly**

a) obtain all necessary emergency medical assistance

b) notify the parent or guardian of the child

c) record the occurrence in the daily log

d) notify the Ministry.

Commentary

This proposed standard was not the subject of extensive feedback. It has been replaced with a standard requiring the operator to have written procedures for handling "serious occurrences", thus ensuring pre-planning to cope with incidents that affect not only the health and safety of individuals, but also the state of the premises. The Ministry will provide information about such planning for assistance to operators.

The requirement for reporting serious occurrences to the Ministry has been retained, and the time span has been specified. The final standard is renumbered PS-04.5.

Final Standard

PS-04.5 The operator shall:

a) have a written policy and procedures with respect to serious occurrences

b) notify the Ministry within 24 hours of any serious occurrence.

Proposed Standard

PS.06.6 **Every day nursery shall keep available for emergency treatment on the premises a first-aid kit.**

Commentary

It was recommended during the consultation period that the proposed standard be amended to specify that every day nursery keep a first aid kit and manual acceptable to the Ministry in a location that is known and accessible to staff members. The final standard includes these changes. While two respondents suggested that a portable first aid kit be required on field trips, this has not been made a requirement. Most field trips involve visiting a public place where first aid is readily available. The major consideration is that the adult/child ratio be maintained in case of an emergency. The final standard is renumbered PS-04.6.

Final Standard

PS-04.6 The day nursery shall provide an acceptable first aid kit and manual, which shall be kept in a location that is known and accessible to staff.

Proposed Standard

PS-06.7 **At all times there shall be at least one person on the premises of a day nursery who holds a current Red Cross or standard St. John Ambulance certificate in first aid.**

Commentary

This proposal is covered under the Ministry of Labour Act, which requires a first aid certificate holder to be on the premises irrespective of the number of people employed. It has therefore been deleted.

Proposed Standards

PS-06.8 **The supervisor of a day nursery shall ensure that:**

a) **Only those drugs and medications recommended in writing by a licensed physician are administered to a child attending a day nursery.**

b) **All containers of any drug or medication to be administered to a child are clearly labelled with the child's name and instructions for the administration of the drug or medication.**

PS-06.9 **The supervisor of a day nursery shall:**

a) **ensure that a daily record, signed by the supervisor or person having custody of the keys, is kept of all prescription drugs and medications, showing the amount dispensed and the amount on hand, and in addition, that records are kept of all controlled drugs as required under The Narcotic Control Act (Canada)**

b) **establish a procedure as directed by a nurse registered under The Nurses Act or by a licensed physician for the administration of any drug or medication prescribed by a licensed physician for any child enrolled**

c) **ensure that drugs and medications are kept in a locked cupboard, and the keys to the cupboard are kept in the custody of the supervisor or the custody of some other employee of the nursery designated by the supervisor**

d) **ensure that the person having custody of the keys is responsible for the removal of any drugs or medications from the cupboard and for their administration in accordance with the procedure established under part (b) above. Where drugs and medications must be refrigerated, the supervisor shall be responsible for their storage and administration in accordance with part (b) and this part of the standard.**

Commentary

Proposed standards PS-06.8 and PS-06.9 aroused considerable comment during the consultation period, resulting in a number of amendments. The proposals have been combined in a single final standard numbered PS-04.7.

The issue of whether or not a parent or guardian should authorize the administration of a drug or medication generated much discussion. It was pointed out that many types of medications do not require a prescription, and would therefore involve an unnecessary visit to a physician for a letter of recommendation. Many respondents thought that it is a parental responsibility to determine whether a child should be receiving medication, and therefore the parent(s) should be allowed to exercise discretion. Others thought that some parents may request that their child receive non-prescribed treatment that the day nursery staff deem unnecessary and feel uncomfortable administering. In light of these concerns, the final standard recognizes a parental role in decisions on drugs and medications, but applies only "where the operator of a day nursery agrees to the administration of drugs". This gives the operator the option of refusing to administer drugs or medications and the parent the option of seeking alternative arrangements if they are unable to resolve this issue. In addition, part (c) provides that drugs and medications are to be administered to a child "only where a parent or guardian has given specific written instructions", while reference to prescription by a licensed physician has been deleted.

As a result of consultation with Ministry personnel, the requirement for registration under the Nurses Act in part (b) of proposed standard PS-06.9 has been changed to current registration under the Health Disciplines Act in part (a) of the final standard. Part (a) of proposal PS-06.9 has been deleted, as the manner in which records are to be kept is part of the procedure referred to in part (a) of the final standard. A number of respondents requested inclusion of a procedure for the transportation of any drugs brought by children who travel to and from the day nursery in buses or taxis, and a procedure for the disposal of outdated drugs. Both these concerns would also be covered by part (a) of the final standard, and therefore do not require an additional standard.

A few respondents pointed out that the proposed standards did not specify that refrigerated drugs be kept in a locked container. Part (b) of the final standard specifies that drugs and medications are to be stored as directed in a location inaccessible to the children. The requirement for locked containers is considered to be unnecessary as children are never to be left unsupervised while on the premises.

Part (d) of proposed standard PS-06.9 has been deleted, as part (b) of the final standard specifies that the supervisor or other designated employee is to be in charge of drugs and medications. There was some concern as to how day nursery staff could be assured that there was no overlap between the home and the day nursery with respect to administering a drug, and how staff would know when medication should be terminated. The requirement in part (c) of the final standard that the parent provide a written schedule of

administration for each drug or medication covers the time(s) and the correct dosage of any treatment a child is to receive. This ensures that over the course of a full day, there is continuity between the home and the centre with respect to the child's drug intake, and that the termination date of treatment is clearly stated.

Respondents raised the point that drugs or medications brought to the day nursery should be in the original container to ensure that they are for a specific child and are not out of date. In addition, the date and name of the drug or medication should be labelled on the container. Part (d) of the final standard includes these amendments.

Final Standard

PS-04.7 Where the operator agrees to the administration of drugs, the supervisor shall:

a) establish a written procedure as directed by a nurse currently registered under the Health Disciplines Act, R.S.O. 1980, c. 196 or by a licensed physician for the administration of any drug or medication for any child enrolled and for the keeping of appropriate records, including those required under the Narcotic Control Act (Canada)

b) ensure that drugs and medications are stored as directed in a location which is inaccessible to children and in the charge of the supervisor or some other employee of the nursery designated by the supervisor

c) ensure that drugs and medications are administered to a child only where a parent or guardian has given specific written instructions, including a written schedule of administration for each drug or medication

d) ensure that any drug or medication to be administered to a child is provided by a parent or guardian in the original container clearly labelled with the child's name, the date, the name of the drug or medication, and instructions for storage and administration of the drug or medication.

Proposed Standard

PS-06.10 **Where there are dogs and cats in a day nursery the operator shall ensure that these animals are properly protected against rabies.**

Commentary

It is not a common practice for day nurseries to house dogs and cats, although smaller animals (e.g., guinea pigs, gerbils) are often kept on the premises. A number of responses suggested the addition of other animals to the proposed standard. If a problem arises with respect to animals other than cats and dogs in a nursery, however, it can be dealt with through public health officials under final standard PS-04.1, which places all health care practices in a day nursery under the jurisdiction of the local medical officer of health. Thus, this proposal remains unchanged.

Final Standard

PS-04.8 Where there are dogs and cats in a day nursery the operator shall ensure that these animals are properly protected against rabies.

P-07 Behaviour and Guidance

Proposed Standards

PS-07.1 **Every operator of a day nursery shall have a written policy with respect to behaviour management practices permitted or prohibited by staff.**

PS-07.2 **The following forms of discipline shall not be used:**

a) corporal punishment, including but not limited to the following:

i) striking a child, directly or with any physical object
ii) shaking, shoving, spanking or other forms of aggressive contact
iii) requiring or forcing the child to repeat physical movements

b) harsh, humiliating, belittling or degrading responses of any form, including verbal, emotional and physical.

Commentary

These proposals drew considerable support for their intent as well as numerous suggestions for expanding their content. The proposals were seen as recognizing that disciplining children is a very sensitive area of child rearing. It was also suggested that the content and format of the proposals be brought into line with regulations in other areas of children's services. As a result, proposed standard PS-07.1 has been expanded through the

addition of requirements that there be written policies and procedures with respect to the contravention of behaviour management practices by staff and that the written policies and procedures surrounding behaviour and guidance be reviewed with all staff upon commencement of employment and at least annually thereafter. The final standard is renumbered PS-05.1. The phrase "forcing food" has been added to part (a) of proposed standard PS-07.2, and the clause "that would humiliate a child or undermine a child's self-respect" to part (b). New sections (c) and (d) list other undesirable behaviour management techniques. The final standard is renumbered PS-05.2.

Numerous respondents commented that positive forms of behaviour management practices should also be included. However, the Ministry is primarily concerned with preventing negative disciplinary measures. It is the responsibility of the day nursery staff to develop positive behaviour management practices that will be acceptable to parents.

Final Standards

P-05	**Behaviour and Guidance**
PS-05.1	The operator shall: a) have a written policy for staff with respect to permitted and prohibited behaviour management practices b) have written policies and procedures with respect to contravention of behaviour management practices by staff c) review the written policies and procedures referred to in parts (a) and (b) above with all staff upon employment and at least annually thereafter.
PS-05.2	The operator shall not use or permit the use of: a) corporal punishment, including but not limited to striking a child, directly or with any physical object, shaking, shoving, spanking or other forms of aggressive contact, requiring or forcing the child to repeat physical movements or forcing food on the child b) harsh, belittling or degrading responses of any form, including verbal, emotional and physical, that would humiliate a child or undermine a child's self-respect c) denial of usual comforts including shelter, clothing, bedding, and food d) confinement in a lockable room or structure, isolation or physical restraint as a form of punishment.

Program Records

P-08 Content and Maintenance of Children's Records

Proposed Standard

PS-08.1 **The operator of a day nursery shall keep on the premises of the day nursery records maintained up to date and available for inspection at all times that shall include in respect of every child enrolled**

a) **an application for enrolment signed by the parent or guardian of the child**

b) **the name, date of birth and current home address of the child**

c) **the names and current home addresses of the parents or guardian of the child**

d) **the current place at which a parent or guardian, or alternative person to whom the child may be released, can be reached in case of an emergency during the hours when the child is in the care of the day nursery**

e) **the name and address of the family physician of the child**

f) **the date of admission of the child**

g) **the date of discharge of the child**

h) **a record of the daily attendance of the child**

i) **a record of the monthly growth of every child who is under 18 months of age**

j) **measurement of the height and weight of each child over 18 months every six months**

k) **a historical and ongoing record of the child's communicable diseases and immunization**

l) **with respect to medications, a recommendation in writing signed by a licensed physican for any medical treatment or medication for the child which is to be administered during the hours the child is in the day nursery**

m) **with respect to any special requirements for diet, rest or exercise, a recommendation in writing signed by a licensed physician.**

Commentary

There have been a number of revisions of this proposed standard as a result of the extensive feedback received. The information required in the final standard is to be kept in a personal file for each child as opposed to a general record, as some of the information required is of a confidential nature. Reference to required telephone number(s) has been added to parts (c), (d) and (f), and "the names of persons to whom the child may be released" inserted as part (e) of the final standard. "The child's OHIP number and the surname and initial of the subscriber" have been added to part (g). Part (h) of the proposed standard has been deleted, as it would not be practical to record attendance in the child's file. Part (j) has been deleted, as it was considered unnecessary. Part (k) of the final standard includes "conditions requiring medical attention" and exemption from immunization "for reasons of health or religions belief". "Symptoms indicative of ill health and child abuse" have been added as part (l) to reflect the requirement in final standard PS-04.3 that any of these symptoms be noted in the child's personal file. Part (m) includes written instructions for any medical treatment or drug or medication signed by "a parent or guardian" as opposed to a licensed physician, for consistency with part (c) of final standard PS-04.7. As it is the parents' responsibility to determine whether the child has any special requirements for diet, rest or exercise, part (n) of the final standard likewise requires written instructions signed by "a parent or guardian" rather than a licensed physician. The final standard is renumbered PS-06.1.

A number of respondents commented that a record of the child's cognitive, social and emotional development should be included in this standard. Although this is a good practice and should be encouraged, the Ministry does not believe that it should be regulated at this time.

Inclusion of blanket consent forms for dental public health examinations, emergency treatment, field trips, and photography sessions was also suggested. However, consent should be informed; the use of blanket consent forms is an undesirable practice, and the legal status of such forms is questionable. Specific consent forms are recommended.

The title of the section has been changed to "Content and Maintenance of Program Records" to represent more accurately the subject matter of the standards.

Final Standard

P-06 **Content and Maintenance of Program Records**

PS-06.1 The operator shall keep on the premises of the day nursery a personal file for each child, maintained up to date and for at least two years after the discharge of the child, that shall include:

a) an application for enrolment signed by a parent or guardian

b) the name, date of birth and current home address of the child

c) the name(s), current home address(es) and telephone number(s) of the parent(s) or guardian of the child

d) the current place and telephone number at which a parent, guardian or alternate person(s) can be reached in case of an emergency during the hours when the child is in the care of the day nursery

e) the names of persons to whom the child may be released

f) the name, address and telephone number of the child's family physician

g) the child's OHIP number and the surname and initial of the subscriber

h) the date of admission of the child

i) the date of discharge of the child

j) a record of the monthly growth of a child who is under 18 months of age

k) a record of the child's communicable diseases, conditions requiring medical attention and immunization or a statement of exemption for reasons of health or religious belief

l) symptoms indicative of ill health and child abuse

m) written instructions signed by a parent or guardian for any medical treatment or drug or medication for the child that is to be administered during the hours the child is in the day nursery

n) written instructions signed by a parent or guardian with respect to any special requirements for diet, rest or exercise.

Proposed Standard

PS-08.2 **Every day nursery shall keep on its premises records of visits of inspection made by the local medical officer of health or any person designated by him or her, the local fire department and any person designated as a program adviser under subsection 1 of section 16 of The Day Nurseries Act, 1978 making an inspection on behalf of the Minister.**

Commentary

The response to this proposed standard was minimal, but supportive. It remains unchanged in the final standards, but is renumbered PS-06.2.

Final Standard

PS-06.2 The operator shall keep on the premises records of inspections made by the local medical officer of health or any person designated by him or her, the local fire department and any person designated as a program adviser under subsection 1 of section 16 of the Day Nurseries Act, R.S.O. 1980, c. 111 making an inspection on behalf of the Minister.

P-09 Daily Log

Proposed Standard

PS-09.1 **Every day nursery shall maintain a daily log in which major deviations from the program and written plans are recorded.**

Commentary

While most respondents generally supported the concept of maintaining a daily log, some expressed reservations. Several respondents raised questions regarding the issues of content and responsibility. Some commented that the term "major deviations" was unclear. The apparent confusion may have resulted from the fact that the term "daily log" has a different connotation in other Ministry services. Many suggested that a precise definition or prescribed format would clarify the Ministry's expectations. Specific requirements were not included in the proposed standard in the interest of avoiding regulation and promoting flexibility among programs. One

respondent stated that maintenance of a comprehensive daily log was not practical; the time and effort required to record details would detract from other priorities involved in operating a centre. After careful consideration of the responses, the term "daily log" has been replaced in the final standard by "a daily written record", and the standard has been reworded to specify that the record is to include a summary of any incident affecting the health, safety or well-being of the children and staff. This requirement is consistent with the requirement in other areas of children's services. The final standard is renumbered PS-06.3.

Final Standard

PS-06.3	The operator shall ensure that a daily written record is maintained that includes a summary of any incident affecting the health, safety or well-being of the children and staff.

P-10 Confidentiality

Proposed Standards

PS-10.1	**The operator of a day nursery shall keep personal records of the children confidential and in a locked file.**
PS-10.2	**No operator of a day nursery, municipality, band or approved corporation shall disclose publicly either in writing or orally the identity of any person who is eligible for or receives a subsidy.**

Commentary

On reviewing comments on these proposals, the Ministry agrees that personal records of both the child and the family are confidential, and may be released only with the written consent of a child's parent or guardian. The only exception to this is in the case of child abuse, where personal records may be released in accordance with the Child Welfare Act. Proposed standard PS-10.1 has been amended accordingly. The final standard is renumbered PS-07.1. Proposed standard PS-10.2 has been deleted from the final standards, as any information with respect to subsidy is of a personal nature, and is therefore covered under final standard PS-07.1.

There was some question during consultation as to whether or not early childhood education students should have access to personal records. Under final standard PS-07.1, each day nursery is responsible for developing an agreement with parents as to which individuals have access to personal records. It was also suggested that a clause be added requiring that staff records be kept confidential. The final standard reflects this suggestion.

There was also some concern as to whether or not parents should have access to their child's file. The parent or guardian is legally responsible for the child, and thus should have access to all information with the exception of child abuse information as provided by the child welfare legislation on child abuse.

The final standard refers to a locked "container" rather than a "file" to allow flexibility in the type of equipment used.

Final Standard

P-07	**Confidentiality**
PS-07.1	The operator shall keep personal records of each child, family and employee confidential and in a locked container, to be released only with written consent of a child's parent or guardian or an employee except in the case of child abuse, where personal records may be released in accordance with the Child Welfare Act, R.S.O. 1980, c. 66.

6. HUMAN RESOURCES IN DAY NURSERIES PROGRAMMING

The Principles

These principles have been considered in the development of the standards for human resources in day nurseries services.

1. Program Quality: Every child enrolled in a day nurseries service is entitled to receive a good quality program of care and guidance.

2. Balanced Program: Every child enrolled in a day nurseries service is entitled to receive care and guidance from persons capable of balancing the child's need for development and stimulation and his or her need for a warm, caring environment.

3. Individualization: Every child enrolled in a day nurseries service is entitled to care and guidance from persons capable of responding to the child's individual needs.

4. Immediacy: Every child enrolled in a day nurseries service is entitled to prompt recognition of his or her immediate need for care and guidance and to an appropriate response as soon as the need is recognized.

The Human Resources Proposals

The consultation paper devoted extensive discussion to the development of standards for human resources in day nurseries, addressing those issues which most significantly affect the quality of care children receive. Ontario has always been able to take pride in the quality of its licensed day nurseries. Ratios of adults to children have been among the most favourable on the continent, and these, along with staff qualifications based on studies and experience specific to early childhood development, were seen as a prime determinant of quality care. The proposed ratios and group sizes were the focus of much concern during consultation, as were the issues of staff qualifications and competencies.

Adult/Child Ratios and Group Size

The consultation paper proposed for discussion two sets of "Schedule 1"* adult/child ratios and corresponding group sizes varying according to the age of the child served and the type of program offered. Historically, group size was believed to have relatively little impact on programs with adult/child

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* Schedule 1 has been renumbered Schedule 2 in the final standards.

ratios in the range of Ontario's regulations. It was believed that where enough adults were present to guide the children, the size of the group could be increased until the capacity of the available play space was reached. Indirect control was exerted in requiring a second room where more than 25 children aged two to five were enrolled. Since most programs used all rooms available, very large groups of children were generally avoided. Even though large groups were technically permitted, the usual size of groups of children two to five years old together at important program-intensive periods of the day was approximately 12 to 18 children. Some larger centres were designed around the maximum group size of 25 children or 10 infants, and do use primarily this larger group size.

The findings reported in Children at the Center, the final report of the National Day Care Center Study in the United States, emphasized the significance of controlling groupings of children. Of the three interrelated factors of group size, staff/child ratios and caregiver qualifications, group size was the most important factor affecting the behaviour of children. The final standards dealing with adult/child ratios regulate group size, to allow children to form relationships more readily with other children in the group and with staff members consistently assigned to them. The revised standards take into account current practice in day nurseries in Ontario in programmatic groupings of children and the National Day Care Center Study findings. They reflect the number of children for whom one program staff member can adequately plan programming, balancing the needs of the individual child with those of the group. Group size is specified as a multiple of the adult/child ratio.

As was stated in the consultation paper, the group sizes given in Schedule 2 refer only to social groupings of children, not to maximum group sizes within playrooms. It is permissible for more than one Schedule 2 group of children to share a play area at any time. Thus it is not necessary for existing centres planned around the old regulations to make major changes in the way their space is utilized.

The ratios required by regulations under the Day Nurseries Act have not been uniform. For centres enrolling children of the same age, the required adult/child ratio varied according to the size of the centre. A small centre was required to provide staff at a 1:5 ratio for pre-school children, while a centre enrolling 45 children could staff at a ratio of 1:9. The uniform ratio given in the final standards will clarify requirements for all centres, regardless of capacity, and provide necessary equity between centres. The ratios given are based on enrolment, not attendance, but take absentee levels into account.

To allow flexibility in staffing full-time centres where shifts of workers are often a necessity, the proposed standard allowing a reduction of staff at certain times of the day has been revised. Full-time programs may, if they

choose, reduce staff to two-thirds of the otherwise required adult-child ratio for half-hour periods at arrival and departure, and for one and one-half hours while children rest. This does not take precedence over the requirement to have two staff members on the premises of a day nursery when six or more children (or three or more infants) are in attendance.

It will be seen that the ratio selected for infants (birth to 18 months) is the current ratio rather than that proposed in the consultation paper. The proposal was throught to be too restrictive, and would reduce an already small supply of infant care spaces.

The proposed change in the age range for the "toddler" group will be made, and this group will now include children from 18 to 30 months. Children in the 24 to 30 month group appear, in general, to have needs for adult support more like those from 18 to 24 months than like those from 30 months to five years of age. Because care for toddlers is also in short supply, a provision allowing centres to accept children outside the normal age limits in one Schedule 2 group has been added. Where approval is given, a centre may draw up to 20% of one age group of children from a younger group without having to provide adult/child ratios required for the younger age in Schedule 2. This should allow flexibility in the placement of children in communities where no toddler program operates. Where a centre has more than 20% of its enrolment drawn from the younger age group, or where more than one group in a centre has this age mix, it would be appropriate to expect the development of a toddler group to meet their needs.

Staff Qualifications and Competencies

Significant numbers of staff in day care centres and in half-day nurseries in Ontario have taken training from community colleges, university undergraduate or graduate programs in studies specific to early childhood. At the same time, staff without formal academic training but with extensive experience in day nurseries settings have formed a corps of workers with a high degree of skill with children. The Ministry considers this mix of theoretical studies and practical experience to be a strength that should be maintained. The latest survey of information on 1,877 currently licensed centres shows that of a total of 9,277 staff, 5,687 have training to the minimum level of a diploma in early childhood education. A further 1,023 are now involved in training. Many of the 2,567 staff who have no formal academic training in child study have nonetheless given years of service to this field. Their contribution is considerable. It was therefore decided that for one program staff member with each group of children, an academic background in specific child-related studies, at least the equivalent of an early childhood education diploma from a community college, will be required. Other program staff members need not have this formal training, and those who have acquired experience without it will still have an important role to play in day nurseries. Similarly, the requirement for supervisors in day nurseries will continue to be an academic background in specific child-related studies and a minimum of two years of service in a group program or programs where the age and developmental level of the children approximately match those in the program to be supervised.

A good deal of discussion in the consultation paper centred around the concept of "competency". The competency approach to determination of workers' qualifications (see pages 45-55 of the consultation paper) uses direct, behavioural indicators of abilities, instead of the more usual indirect, academic indicators. During the consultation process, no single issue generated as much response or as much discussion in the community as the idea of granting recognition to program staff workers who could be objectively judged, by means other than academic measures, to be "competent" to take a leading part in a day nursery. The position put forward by the Ministry is recognized as valid not only for day nurseries personnel but also for other areas of human service as well.

However, jurisdictions that have attempted to develop competency evaluation mechanisms have found the task to be extremely difficult and costly. Objective indicators of competency, consistent mechanisms of assessment and individualized training programs for candidates must all be developed. At the present time, no such system exists in Ontario. No criterion list of indicators has been developed for day nurseries program staff apart from that being generated by the community colleges as they build a competency-based training scheme. Because it appears that the development by this Ministry of measures of competency equivalent to that of a graduate of a recognized program of early childhood education would take a considerable amount of time, and involve sizable expense, it will not be undertaken at this time. The Ministry remains firm in the belief that such a system has the potential to provide the most accurate and fair judgement about the expertise of workers in any group. The Ministry continues to support the principle of competency measures as a valuable tool with which to build an equitable employment climate in areas of human service, and looks forward to the opportunity for the establishment of such measures for day nurseries personnel at some future time. For the present, the Ministry applauds the development of competency-based training courses in early childhood education programs in the colleges of applied arts and technology, and believes that this system holds promise for the future.

The Human Resources Standards

HR-01 Program Staff/Child Ratios

Proposed Standard

HRS-01.1 **The number of program staff, including the supervisor, required for the care and guidance of children whether on the premises or on field trips in a day nursery shall be determined in accordance with Schedule 1.**

Commentary

While this provision was generally accepted by respondents, a number of briefs suggested that a greater number of adults (not necessarily program staff) should be required for field trips, particularly those involving vehicular transportation. Since "field trips" was intended to mean any excursion off the nursery premises, this restriction could have the effect of preventing children from exploring the community. Basic safety needs can be met using Schedule 2 ratios (see page 58), and centres desiring to enrich the experience of the children may do so by arranging for adults to be present in numbers above the minimum required. For consistency with part (d) of program standard PS-01.1, "field trips" has been changed to "excursions".

For the sake of clarity, cross-references have been made to the standards establishing the qualifications of program staff. The final standard also includes the clause "except where the Director gives written authorization for a change in the required number". This appears in current regulations, and has proved useful where circumstances within specific nurseries, for example parent co-operatives, dictate staff numbers other than those normally expected.

A new standard numbered HRS-01.2 was added following consultation to allow placement of some younger children, with Ministry approval, in groups of older children. This provides the flexibility needed for the placement of toddlers where no alternative toddler service exists.

Final Standards

HR-01	**Program Staff/Child Ratios**
	Day Nurseries
HRS-01.1	The number of program staff (SEE: HRS-02.2) required for the care and guidance of children whether on the premises of the day nursery or on excursions shall be determined in accordance with Schedule 2 and HRS-01.3, except where the Director gives written authorization for a change in the required number.
HRS-01.2	Schedule 2 age categories may be mixed within one group only with the written approval of the Director. The program staff/child ratio required for the younger age category shall be used for mixed-age groups where more than 20% of the children are from the younger age category.

Schedule 2

Program Staff/Child Ratios and Group Size

a) Normally Functioning Children

	Age of Child	Ratio	(Group Size)
Full-Day Program	Birth to 18 months	3:10	(10)
	18 months to 30 months	1:5	(15)
	2½ years to 5 years	1:8	(16)
	5 years	1:12	(24)
	6 years to 9 years	1:15	(30)
Half-Day Program	Birth to 18 months	3:10	(10)
	18 months to 30 months	1:5	(15)
	2½ years to 5 years	1:8	(16)
	5 years	1:12	(24)
	6 years to 9 years	1:15	(30)

b) Handicapped Children in Designated Funded Programs

2 years to 6 years	1:4	(8)
6 years to 18 years	1:3	(6)

c) Designated Integrated Day Care Centres

Ratios are to be calculated according to the combined number of handicapped and normal children enrolled. Resource teachers are required in addition in accordance with ratios for handicapped children.

Proposed Standard

HRS-01.2 **The number of program staff, including the supervisor, required in a day nursery, when the centre has an enrolment of 45 or fewer children, shall be calculated on the basis of average monthly enrolment of children per group in each program offered.**

Commentary

The majority of people who commented on this provision agreed that a large enrolment necessitates removal of the supervisor from the Schedule 2 ratios; however, respondents expressed a variety of opinions as to the point at which this change of role should be required. There would appear to be no empirical evidence to support any one position. For some time, funded programs have been asked to use the rule of thumb that for 35-45 children enrolled, the supervisor's time may be counted as half administrative and half program staff, whereas when more than 45 children are enrolled, supervisors must be considered to be administrative staff. This measure has proved successful, and has been adopted in the final standard, renumbered HRS-01.3. The ratio is expressed in numbers of staff, rather than number of children, in order to include programs for handicapped children with much different Schedule 2 requirements.

Final Standard

HRS-01.3 Where fewer than five full-time equivalent program staff are required to meet ratios as in Schedule 2, the supervisor may be counted as a full-time equivalent member of program staff; where five or six full-time equivalent program staff are required to meet ratios as in Schedule 2, a full-time supervisor may be considered administrative staff rather than program staff for up to half the full-time equivalent hours; the supervisor of a program with seven or more full-time equivalent staff required shall not be counted as a member of program staff in determining ratios as in Schedule 2.

Proposed Standard

HRS-01.3 **There shall be a minimum of two program staff on the premises of a day nursery at all times while there are six or more children in attendance, or where there are infants (under 18 months), three or more infants in attendance.**

Commentary

More than a dozen respondents commented on this provision. Half of these endorsed the measure as proposed. Most others sought a more stringent regulation, requiring two program staff either for four or more children, as is currently required, or for three or more infants or toddlers, as was proposed for infants only. However, day nurseries in Ontario have in certain circumstances counted non-program staff in adult-child ratios. The final standard reflects this practice in order to allow flexibility, particularly for smaller licensed centres. While the number of program staff required to be in a centre at any one time has been reduced from the original proposal, the number of children allowed in the care of one adult is the same as in the proposal. The final standard is renumbered HRS-01.4.

Final Standard

HRS-01.4	There shall be no fewer than two adults, of whom one shall be a program staff member, on the premises of the day nursery at all times while there are six or more children in attendance, or where there are infants, three or more infants in attendance.

Proposed Standard

HRS-01.4	**The ratios required apply at all times children are in attendance except during the periods of arrival, departure, rest, and playground activity in which case the observed ratio with the children can never be less than two-thirds of the required ratios as determined in Schedule 1.**

Commentary

The majority of submissions did not mention this issue. One submission stated support. The suggested changes followed no clear pattern. Among submissions favouring full staffing for a greater part of the day, some called for full staff at all times, while others would make exceptions for the playground and/or arrival and departure times and/or sleep time. One submission discussed lunch-time scheduling problems. Several submissions disapproved one or another aspect of the proposed reduction to two-thirds on the basis that the children's safety would thereby be jeopardized. One would reduce the ratios at specified times to half rather than two-thirds. Only one paper mentioned cost increases specifically in this regard. On reviewing the responses, the Ministry agrees that outdoor, active play requires close

supervision for safety and for the stimulation of good play behaviour. Most centres, moreover, could cover playgrounds fully, and still afford staff a short "break" at other times. The full ratios established in Schedule 2 will therefore be required during periods of playground activity, and reference to playground activity has been deleted from the final standard. However, the final standard retains the one-third reduction proposed for arrival, departure and rest as a provision for full-day programs. The two-thirds minimum rule does not compel a centre to reduce ratios, and it enables operators to cope legally with unpredictable contingencies. The requirement that staff duties be assigned in writing in accordance with Schedule 2, resulting from the revision of proposed standard PS-02.5, has been added to the final standard, which is renumbered HRS-01.5.

Final Standard

HRS-01.5 The operator shall assign staff duties in writing in accordance with Schedule 2. The ratios of staff to children in attendance shall apply at all times except in a full-day program during the periods of arrival, departure and rest, in which case the observed ratios shall never be less than two-thirds of the required ratios as determined in Schedule 2.

Proposed Standard

HRS-01.5 **Children in a day nursery shall not at any time be left without program staff supervision.**

Commentary

The small number of respondents who commented on this issue supported the provision as proposed. The final standard is retained unchanged, except that it is renumbered HRS-01.6.

Final Standard

HRS-01.6 Children in the day nursery shall not at any time be left without program staff supervision.

HR-12 Staff Qualifications

Proposed Standard

HRS-12.1 **The operator of every day nursery shall employ for the care and guidance of each group of children, as defined in Schedule 1, a program staff person who has completed a program in early childhood education or has equivalent competencies, and whose training is appropriate to the ages and developmental level of the children enrolled.**

Commentary

Most of the responses received on this issue strongly upheld the benefits of academic preparation for staff in day nurseries. Many briefs urged the adoption of a requirement that all staff have completed an early childhood education diploma at the community college level. Others, while in agreement as to level of training, suggested that a "grandmother" clause cover those now working in the field, or alternatively, that time be granted to enable those without an early childhood education diploma to complete their studies to this level.

Another large group of respondents preferred the idea of a mix of skills in day nurseries, achieved by having all staff trained either in early childhood education or in related disciplines. Some respondents favoured all staff having either credentials from early childhood education programs or competency levels equivalent to graduation from these programs.

A significant group responded that the lead teacher with each group of children should hold an early childhood education diploma, or the equivalent in a related discipline, or a measure of equivalent competency.

A large number of those responding stated that they could not support measures of competency without some indication of what criteria might be used and which procedures followed in assessing candidates. Others gave reluctant approval to the principle, but reserved final judgement until the system of measurement could be examined.

There is clearly no single view of what best prepares all caregivers for work in day nurseries. Those having training in early childhood education believe in its benefits. The National Day Care Center Study, Children at the Center, cited extensively in the consultation paper, bears out the value of programs of child study. This extensive research study did not find (nor has any other to this time) that a significant improvement in quality is shown where all staff, as opposed to one staff member with each group of children, are required to have such training.

As was discussed above, the Ministry has decided against the development of independent measures of equivalent competencies at the present time. The final standard reflects the Ministry's support for specific studies of children for at least one program staff member with each group of children as defined in Schedule 2, while recognizing that programs of good quality may have a mix of skills among staff. Provision is made for Ministry approval of untrained staff in exceptional circumstances. The final standard is renumbered HRS-02.2, as it was decided this standard should follow the standard dealing with the supervisor's qualifications.

Final Standard

HR-02	**Staff Qualifications**
HRS-02.2	The operator shall employ for the care and guidance of each group of children, as defined in Schedule 2, a program staff person who has completed an approved program in early childhood education, or the equivalent including specific child-related studies and supervised practice, and whose training is appropriate to the ages and developmental levels of the children enrolled, or who has the written approval of the Director.

Proposed Standard

HRS-12.2	**The operator of every day nursery shall employ a supervisor who has:** **a) completed a program in early childhood education or who has equivalent competencies, and** **b) at least two years' experience in a day nursery(ies) appropriate to the age and developmental levels of the children enrolled.**

Commentary

This proposed standard differs only from current practice in that it allows for "equivalent competencies" as an alternative to the early childhood education training now required. Most of those who commented on this issue separately from the issue of program staff training approved some measure of academic equivalency or a competency measure for supervisors. Some specifically mentioned the certificate granted by the Association for Early Childhood Education, Ontario (after practice) as an appropriate requirement for supervisors, as it signifies both training and the suggested two years' work experience.

As discussed above, the measure of competency equivalent is not available at the present time. The final standard retains the requirements for both a theoretical background in child studies and appropriate work experience. It has been modified to increase flexibility to take account of varying conditions in the province as a whole. It is renumbered HRS-02.1.

Final Standard

HRS-02.1 The operator shall employ a supervisor who has:

a) completed an approved program in early childhood education, or the equivalent including specific child-related studies and supervised practice, and at least two years' experience in a day nursery(ies) appropriate to the ages and developmental levels of the children enrolled, or who otherwise has been recommended by the program adviser, and

b) the written approval of the Director.

HR-13 Health of Staff

Proposed Standard

HRS-13.1 **Every member of the staff of a day nursery, before commencing employment and every two years thereafter, shall be examined by a licensed physician and shall obtain from the physician a certificate that the staff member is free from communicable diseases, has had immunization deemed adequate by the local medical officer of health including immunization for rubella, and has had a test for tuberculosis that shows negative results.**

Commentary

There was a great deal of comment on this proposal, and it was inconclusive. One respondent supported the provision as it was written. Many respondents strongly urged that the examination be repeated annually. One would omit the physical examination entirely. Some thought that mentioning rubella specifically put undue emphasis on one communicable disease as opposed to an overall state of health of the employee. Several writers expressed the view that other conditions should be included in the provision, specifically an examination for giardiasis or other gastro-intestinal ailments. Some respondents urged that records of any medical examinations and immunizations be kept on the premises of the day nursery. Some respondents would prefer a much more restrictive definition of those required to have proof of preventive health care, including "all persons engaged in the maintenance and operation of the day nursery while the children are in attendance", or "all staff as well as volunteers or anyone having direct contact with children".

It should be emphasized that the food premises regulation under the Public Health Act treats staff in day nursery programs as food handlers, and requires certain protections for the benefit of the children and staff. For some years, the same requirements have been made of participating parents in co-operative nurseries, early childhood education students doing field placements and volunteers in nursery programs. Thus a more restrictive definition is not required here.

The medical community is divided on the value of routine health assessments for adults, although immunization appears to have an important role to play in preventing the spread of communicable disease. It was decided that it would be appropriate to ask the local public health authority to set requirements, depending upon local conditions, for the scheduling of health assessments and immunizations for staff in day nurseries. These considerations are reflected in the final standard, which is renumbered HRS-03.1.

Final Standard

HR-03	**Health of Staff**
HRS-03.1	Every member of the staff of the day nursery, before commencing employment and thereafter, shall furnish certification of a health assessment and immunization as may be required by the local medical officer of health.

7. PHYSICAL PLANT

The Principles

The principles that were considered in the development of physical plant standards for day nurseries services are:

1. Safe, Healthy, Environment: all children enrolled in day nurseries services are entitled to a safe, healthy environment.

2. Program Purpose/Specificity: The design and use of a day nursery should flow from the definition of program purpose and objectives.

3. Accountability: All operators of day nurseries services must be held continually accountable for ensuring the maintenance of a healthy and safe environment for the children enrolled.

The Physical Plant Proposals

In the physical plant area, the Ministry proposed a more comprehensive set of standards than those in the existing requirements under the Day Nurseries Act. In general, the comments from the field were supportive, and offered positive suggestions to this end. A number of respondents expressed concern that the proposals made no distinction between full-day and part-day programs, and that some proposed requirements for full-day nurseries were not necessary for part-day programs, and in fact could present undue hardship for, and jeopardize the continued operation of half-day nurseries.

The standards proposed for the playground received the most extensive feedback. Comments centred on the appropriateness of requiring a playground for a part-day nursery and on the proposed size of the playground.

On reviewing all the proposals as to their applicability to part-day as opposed to full-day nurseries, it became apparent that the playground should be a requirement for full-day nurseries only. The cost of compliance might be prohibitive for part-day nurseries and problematic where programs operate in shared facilities. Also, it is assumed that children attending a half-day program will have ample opportunity for outdoor play during the rest of the day.

Comments on the proposed playground size included requests that requirements be based on the number of children outside at one time rather than the number of children enrolled, and that smaller playgrounds be permitted. This controversial issue was carefully reviewed. A good space for large-muscle activity is important for the development of the preschool child. In addition, outdoor equipment such as swings or tricycles requires large areas. The standard retains the proposed playground area per child, but has been modified so that this area is to be based on licensed capacity and not on enrolment, as the total number of children enrolled may exceed the number of children on the premises at any given time. The final standard continues the current policy of permitting a maximum of 64 children on the playground at one time. To provide flexibility in exceptional circumstances, the standard allows the Ministry discretion in the approval of playground facilities.

Two main concerns arose from the building interior section. First, respondents called for differing requirements for full-day and part-day programs. In acknowledgement that such flexibility is desirable, the standard listing designated spatial requirements for specific facilities and activities has been divided into two parts applicable to all programs and to full-day programs specifically.

Secondly, respondents asked that it be made clear that the activity room space provided for play was primary space for the children, and should therefore be free of obstructions that might interfere with constructive play. The final standard regarding minimum play activity space per child clarifies that this must be unobstructed floor space.

The proposed fire safety and emergency information requirements were very well received. Most of the feedback in this area consisted of suggestions to strengthen safety measures in the event of an emergency.

The Physical Plant Standards

Proposed Standard

PP-01 Building Selection

PPS-01.1 **No premises shall be used as a day nursery until a letter has been received from:**

a) the local medical officer of health stating that the premises comply with the laws affecting the health of inhabitants of the municipality or the reserve of a band, as the case may be, in which the day nursery is located, including any rule, regulation, direction or order of the local board of health and any direction of the local medical officer of health

b) the local fire chief stating that the premises meet all the requirements of any statute, regulation or by-law relating to the protection from fire of persons using the premises

c) the local clerk of the municipal council or a person designated by the clerk or the chief of the council of a band, stating that the premises comply with any zoning or building or other by-laws passed by the municipality or the council of the band, as the case may be.

Commentary

Although there was little response to this proposal, the feedback received was supportive. However, the final standard has been reworded to focus on compliance with local by-laws, and reference to the officials involved has been deleted, since these may vary from one locality to another.

Final Standard

PP-01 **Building Selection**

PPS-01.1 No premises shall be used as a day nursery until written evidence has been furnished that the premises comply with:

a) the laws affecting the health of inhabitants of the municipality or the reserve of a band, as the case may be, including any rule, regulation, direction or order of the local board of health and any direction of the local medical officer of health

b) any by-law of the municipality in which the premises is located or any by-law of the council of the band on the reserve, as the case may be, and any other law for the protection of persons from fire hazards

c) any restricted area, standard of housing or building by-law passed by the municipality is pursuant to Part III of the Planning Act, R.S.O. 1980, c. 379 or any predecessor thereof and, where the premises is located on the reserve of a band, any by-law of the council of the band on the reserve to regulate the construction, repair or use of buildings

d) the requirements of Ontario Regulation 925/75 made under the Building Code Act, R.S.O. 1980, c. 51, where applicable.

Proposed Standard

PPS-01.2 **Before a new building is erected or an existing building is used, altered or renovated for use as a day nursery, the plans, including those of the playground area, shall be approved by the Ministry.**

Commentary

Feedback from respondents on the proposed standard was minimal, but supportive. It was pointed out, however, that there was no provision for the approval of plans by the Ministry should an existing licensed day nursery decide to alter its premises. The final standard has been changed to provide for this.

Final Standard

PPS-01.2 Before a new building is erected or an existing building is used, altered or renovated for use as a day nursery, or before any renovations or changes are made in an existing licensed day nursery, the plans, including those of the playground area, shall be approved by the Ministry.

Proposed Standard

PPS-01.3 **A building to be used as a day nursery, whether new or to be renovated, with a planned capacity of more than 80 children, must receive approval of the Ministry subject to additional terms and conditions than prescribed by the Regulations of The Day Nurseries Act, 1978.**

Commentary

This proposal received only favourable comments. The only change in content is that "more than 80 children" has been altered to "80 children or more" in the final version to clarify that the maximum capacity of a day nursery cannot exceed 79 children unless approved by the Ministry. The final standard has been transferred to the section on organization and management, where it is considered more appropriately placed, and is renumbered OMS-02.2 (see page 99).

PP-02 Playground

Proposed Standard

PPS-02.1 **Every day care centre and developmental centre shall have a minimum outdoor play space of 5.5 square metres for each child enrolled where licensed capacity does not exceed 64 children. Where licensed capacity exceeds 64 children:**

a) the playground shall be used by a group limited to 64 children at one time, or

b) the playground area shall be increased in size in proportion to the licensed capacity, and divided by a fence so that each playground area provides space for use by 64 children or fewer at one time.

Commentary

Several groups responding to this proposal pointed out the very high cost of land, especially in urban areas, and suggested that a better use of resources would be a requirement of 5.6 square metres of outdoor space based on the number of children who are outdoors at one time. Other groups suggested that a smaller playground be permitted.

The Ministry is concerned about the costs of providing day nurseries services, and would not wish to preclude the development of services, but believes that outdoor play space standards are needed to ensure that children have the play facilities they require for healthy development. Active play equipment such as swings and tricycles requires large areas of space. Some pieces of large-muscle equipment should be provided to encourage the children to move freely. Ground covers deteriorate if overused, leading to problems in the use of the playground space if weather becomes very wet or extremely dry.

Sixty-four children at one time on the playground was seen by some respondents to be a very large group of children. This is the number in current regulations, however, and it has not proved to be problematic. Moreover, some playgrounds have been designed to take this number into account. The final standard allows no more than 64 children to play outdoors in a single group. The word "enrolment" has been changed to "capacity", which was the intent of the original proposal. A further provision allows for Ministry approval of atypical playgrounds in exceptional circumstances.

Final Standard

PS-02	**Playground**
PPS-02.1	A full-day nursery shall have a minimum outdoor play space of 5.6 square metres per child in accordance with licensed capacity, and: a) the playground shall be used by a group limited to 64 children at one time, or b) the playground area shall be divided by a fence so that each playground area provides space for use by 64 children or fewer at one time unless otherwise approved in writing by the Director.

Proposed Standard

PPS-02.3 **Every playground shall be drained so that it is free from standing water.**

Commentary

Although the limited amount of feedback received on this proposed requirement was supportive, its intent is achieved through final standard PPS-02.6, which requires the playground to be kept clean, safe and in a state a good repair. The proposal has therefore been deleted.

Proposed Standard

PPS-02.4 **Every playground shall be at ground level, unless otherwise approved by the Ministry.**

Commentary

While this proposed standard was not the subject of extensive feedback, there were comments during the consultation period that the playground should also be adjacent to the day nursery to facilitate access to first aid, telephone, toilet facilities and shelter as well as flexible indoor-outdoor programming. The final standard has been amended accordingly. In the interest of a more logical sequence, the final standard is renumbered PPS-02.2.

Final Standard

PPS-02.2 | Every playground shall be at ground level and adjacent to the building unless otherwise approved in writing by the Director.

Proposed Standard

PPS-02.2 **Every playground shall be:**

a) **fenced on all sides to a minimum height of 1.2 metres so that the children will be confined to the playground**

b) **furnished with gates equipped with bolts and securely fastened at all times.**

Commentary

There was some concern that this proposed standard was not relevant to children of all ages in care, particularly those of school age. As a result, the proposal has been amended to specify the age range to which it applies, and parts (a) and (b) have been combined. The final standard is renumbered PPS-02.3.

Final Standard

PPS-02.3 | Every playground used by children under the age of six years shall be fenced on all sides to a minimum height of 1.2 metres so that the children can be contained within the playground, furnished with a gate or gates equipped with bolts and securely fastened at all times.

Proposed Standard

PPS-02.5 **Every playground shall be laid out so that program staff may maintain constant supervision of the children. (SEE: HRS-01.5.)**

Commentary

This proposed requirement is a regulatory provision in existing legislation, and is still considered appropriate. The final standard is renumbered PPS-02.4.

Final Standard

PPS-02.4 Every playground shall be laid out so that the program staff may maintain constant supervision of the children. (SEE: HRS-01.6.)

Proposed Standard

PPS-02.7 **The equipment and furnishings of a playground shall include materials for gross-motor activity in proportion to the number of children enrolled and of a type suitable for the ages of the children enrolled.**

Commentary

It was pointed out during consultation that the number of children enrolled may be greater than the number of children allowed on the playground at any one time as indicated in final standard PPS-02.1. Therefore, it follows that the equipment and furnishings supplied for gross-motor activity should be in proportion to the capacity of the playground rather than the enrolment of the nursery. The final standard has been amended accordingly. Reference has been added as well to the developmental levels of the children enrolled. The final standard is renumbered PPS-02.5.

Final Standard

PPS-02.5 The equipment and furnishings of every playground shall include materials for gross-motor activity in proportion to the capacity of the playground and of a type suitable for the ages and developmental levels of the children enrolled.

Proposed Standard

PPS-02.6 **The operator shall ensure that the playground is kept clean and in a state of good repair.**

Commentary

Little feedback was received on this proposed standard. However, some wording changes have been made to reflect the concern that both the playground and the equipment should be kept safe as well as clean and in a state of good repair. It was suggested that the standard specify that playgrounds be kept free of poisonous plants. After consideration of this point, the Ministry decided that the word "safe" encompasses poisonous plants as well as other hazards cited during consultation (e.g., steep grades, unprotected window walls).

Final Standard

PPS-02.6	The operator shall ensure that the playground surface and outdoor equipment are kept clean, safe and in a state of good repair.

PP-03 Building Interior

Proposed Standard

PPS-03.1 **Every day nursery shall provide designated space for activity rooms, play, toileting, washing, eating, dressing, resting, the preparation of food if meals are prepared on the premises, an office, staff rest periods, isolation, storage for food, beds, bedding, toys, indoor and outdoor play material and equipment, cleaning equipment and medical supplies, and, where not shared with other facilities, heating and electrical equipment.**

Commentary

While the proposed standard received little comment during the consultation process, it was pointed out that the spatial requirements for full-day and part-day programs differ. The final standard has therefore been divided into two sections. Part 1 outlines the requirements for all day nurseries, regardless of program length, and part 2 outlines additional requirements for day nurseries that operate a full-day program.

The phrase "activity rooms" has been replaced by reference to designated space for "play activity", to clarify that this entire space is to be available to children for play during specified play periods. A number of other standards in this section have been changed accordingly.

Part 1(e) ensures that there is appropriate storage for records without requiring smaller centres to set up an office. The requirement that storage for medical supplies, cleaning materials and equipment and other hazardous substances and heating and electrical equipment be inaccessible to children has been added as a safety precaution.

One respondent was concerned that requiring designated space for the preparation of food "if meals are prepared on the premises" might preclude a suitable area for receiving catered meals. However, part 1(d) is intended to apply to the necessary space in a day nursery using a catering service. In addition, the Ministry of Health has specific requirements for food preparation and service that would encompass the safe holding of catered meals.

Final Standard

PP-03	**Building Interior**
PPS-03.1	1. The day nursery shall provide designated space appropriate for the following: a) play activity b) toileting, washing, dressing, and isolation c) storage for toys and indoor play materials and equipment d) storage for food e) storage for required records f) storage inaccessible to children for medical supplies, cleaning materials and equipment and other hazardous substances g) heating and electrical equipment that is inaccessible to children. 2. A full-day nursery shall provide, in addition to Part 1 above, designated space appropriate for the following: a) eating and resting b) the preparation of food if meals are prepared on the premises

c) storage for beds and linens

d) a staff rest area

e) outdoor play equipment and storage.

Proposed Standard

PPS-03.2 **The activity room space of a day nursery shall provide a minimum of three square metres of floor space measured wall to wall for each child enrolled.**

Commentary

The proposed square metre requirement is a regulatory provision in existing legislation currently expressed in square feet, and it is still considered appropriate. As a result of consultation, the proposed standard has been altered to clarify that each child must have 2.8 square metres of unobstructed play space - i.e. not blocked by furniture or equipment - as this is the primary space used by the child. Floor space requirements are to be measured according to licensed capacity, not enrolment, as this is the maximum number of children permitted on the premises at any given time.

Final Standard

PPS-03.2 The play activity space of the day nursery shall provide a minimum of 2.8 square metres of unobstructed floor space for each child in accordance with licensed capacity.

Proposed Standards

PPS-03.3 **The wall-to-wall activity room floor space of the day nursery shall be divided into:**

a) **two separate rooms where more than 10 children under 18 months of age are enrolled, with an additional room being provided for every additional 10 children under 18 months of age enrolled**

b) **two separate rooms where more than 12 children under 30 months of age are enrolled, with an additional room being provided for every additional 12 children enrolled**

c) two separate rooms where more than 25 children from 30 months to five years, both ages inclusive, are enrolled, with an additional room being provided for every additional 25 children in this age group enrolled

d) two separate rooms where more than 30 children from six to nine years, both ages inclusive, are enrolled with an additional room being provided for every additional 30 children in this age group enrolled.

PPS-03.4 **In addition to activity room space, a day nursery shall provide a sleeping area for every 10 children under the age of 18 months enrolled that is physically separated from the activity room.**

Commentary

Some respondents supported proposed standard PPS-03.3. Others were concerned that the numbers of children specified in the proposal were not exact multiples of the adult/child ratios in Schedule 2. These figures should correspond, and the numbers of children have been changed accordingly in the final standard. However, maximum room capacities do not match the requirements for group size, because groups may share space in one room if desired.

One submission acknowledged the importance of group size, but considered the size of the room the primary factor influencing a group's behaviour, and suggested that the standard be expressed in terms of room size. Similarly, substitution of the word "areas" for "rooms" was recommended because portable dividers are used to partition space into two separate areas in open concept design. However, the research in the National Day Care Center Study clearly presents the negative effects of large groups of children together. The final standard therefore refers to the maximum number of children allowed in a given area. One respondent stated that the standard should specify the provision of another room "for additional children to prevent overcrowding in any one room". While this is the effect of the standard, the requested phrasing has not been added to it, since standards simply specify the requirements that must be met, not the intent behind them.

One group expressed concern that proposed standard PPS-03.3 indicated "wall to wall...space" rather than "open space". Final standard PPS-03.2 specifies the minimum number of square metres of open floor space for each child in accordance with the licensed capacity of the day nursery, whereas this proposal is intended to outline other spatial requirements.

Proposed standard PPS-03.4 was supported as written by most respondents. One submission expressed concern that ten infants in one room might be too many. It should be emphasized that ten is the maximum group size specified for infants in Schedule 2, which requires that three adults care for a group of this size.

Another respondent stated that a separate sleeping area was unnecessary because infants are able to sleep in an activity room. Staff would then be free to interact with other children who are awake. Individual responses to stimuli differ; necessary rest may be interrupted by ongoing activity nearby. The infant group therefore requires separation from the activity of the nursery that space or a physical barrier will provide.

The proposal has been retained but has been incorporated into final standard PPS-03.3 as part (b).

Final Standard

PPS-03.3 The activity floor space of the day nursery shall include:

a) two separate play activity rooms where more than ten children up to 18 months of age are enrolled, with an additional room being provided for every additional ten children under 18 months of age enrolled

b) a sleeping area for every ten children under 18 months of age enrolled that is physically separated from the play activity space

c) two separate play activity rooms where more than 15 children between 18 months and 30 months of age, both ages inclusive, are enrolled, with an additional room being provided for every additional 15 children enrolled

d) two separate play activity rooms where more than 24 children from 30 months to give years, both ages inclusive, are enrolled, with an additional room being provided for every additional 24 children in this age group enrolled

e) two separate play activity rooms where more than 30 children from six to nine years, both ages inclusive, are enrolled, with an additional room being provided for every additional 30 children in this age group enrolled.

Proposed Standard

PPS-03.5 **The location of all rooms in a day nursery for the use of children under six years of age shall be on or below the second storey.**

Commentary

This proposed requirement is an existing regulation, and is still generally supported. The qualification "unless otherwise approved in writing by the Director" has been added to allow for exceptions where appropriate, for example approved rooftop playgrounds. During consultation, one respondent recommended that day nursery programs be restricted to ground level for easy and safe access to the outdoors. This might, however, preclude the expansion of programs in existing facilities otherwise suitable for a day nursery. Although taking toddlers and preschoolers outside to play can be inconvenient where stairs are involved, adequate planning and well-designed stairways can partially alleviate the difficulty. In addition, the fire safety requirements ensure that a quick and safe evacuation procedure will be employed where necessary. The final standard is renumbered PPS-03.4.

Final Standard

PPS-03.4 The location of all rooms in a day nursery for the use of children under six years of age shall be on or below the second storey, unless otherwise approved in writing by the Director.

Proposed Standard

PPS-03.6 **There shall be protection in a day nursery with respect to exits, stairs, windows, radiators or other heating equipment and other hazards that is acceptable to the local building department and medical officer of health.**

Commentary

The intent of this proposal to protect the children and staff from potential hazards is ensured by part (b) of final standard PPS-01.1 and by final standard PPS-01.2, which require respectively that any premises used as a day nursery be inspected by the fire department and that building or renovation plans be approved by it. These two processes would expose any of the possible hazards referred to in this proposal. Therefore, the proposal has been deleted.

Proposed Standard

PPS-03.7 **Natural lighting shall be provided in the activity rooms of a day nursery.**

Commentary

This proposal was originally included because of a concern that full-day programs may operate in basement facilities or windowless rooms where there is no natural light. It was well received, but a number of respondents asked for clarification of what constitutes suitable natural lighting. The final standard, which applies to full-day nurseries being licensed for the first time, specifies the amount of window space required in the play activity space. This is an existing provision of the Ontario Building Code. The final standard is renumbered PPS-03.5.

Final Standard

PPS-03.5 The window glass area in the play activity space of a day nursery operating a full-day program and licensed for the first time shall contain an area equivalent to 10% of the floor area served.

Proposed Standard

PPS-03.8 **Artificial illumination in the activity rooms of a day nursery shall be at the level of 55 dekalux.**

Commentary

This proposal was supported by the few respondents who commented on it. Two respondents stated that a range of artificial illumination should be included. However, the dekalux figure given is the generally accepted level of artificial illumination for the activities that occur in a day nursery, and the final standard therefore remains unchanged. It is renumbered PPS-03.6.

Final Standard

PPS-03.6 Artificial illumination in the play activity space of the day nursery shall be at the level of 55 dekalux.

Proposed Standard

PPS-03.9 **A temperature of 20° C shall be maintained in activity rooms of a day nursery between October 1 and May 31.**

Commentary

Most of the comments during consultation called for a statement of an acceptable temperature range. Some residents of Northern Ontario were not at ease with the dates given. Many respondents asked for the inclusion of maximum temperatures. The final standard takes account of the temperature range in that it specifies a minimum of 20°. The dates remain the same, as these dates are commonly used as reference in most of the province, and are intended to be minimums. Centres in the North would be fully equipped to maintain a temperature of 20° for longer periods of time if necessary. No maximum temperature is stated, as many programs operate in shared premises without air conditioning equipment. All centres are required to have adequate ventilation and could be expected to cope with excessive heat by this means. The final standard is renumbered PPS-03.7.

Final Standard

PPS-03.7 A temperature of at least 20°C shall be maintained in the play activity space of the day nursery between October 1 and May 31.

Proposed Standard

PPS-03.10 **The activity rooms of a day nursery shall be ventilated to a level approved by the local medical officer of health.**

Commentary

Ventilation requirements are specified in the Building Code Act and have therefore been deleted from the final standards.

PP-04 Equipment and Furnishings

Proposed Standard

PPS-04.1 **The equipment and furnishings of a day nursery shall include**

a) **a quantity of tables and chairs in proportion to the number and size of the children enrolled**

b) **a quantity of play materials and equipment in proportion to the number of children enrolled and of a type suitable for the ages of the children enrolled**

c) **cupboard and shelf space to make play equipment accessible to the children.**

Commentary

While there was general agreement on the proposed standard, the final standard has been simplified by replacing specific requirements for tables and chairs and accessible storage space with references to the capacity and type of program offered.

It was suggested during consultation that there should be a sufficient quantity of play materials and equipment to allow for rotation of toys. Periodically rotating the learning materials helps maintain the child's interest in the environment, thereby enhancing the child's development. The final standard incorporates this suggestion.

One respondent requested the addition of a requirement that the "play materials and equipment" be "stimulating". Implicit in the requirement that the play equipment be sufficient in quantity to allow for rotation is the expectation that the toys would provide stimulation. In addition, the program adviser would offer advice on the selection of suitable items, ensuring that a range of stimulating materials is provided.

It was also pointed out during consultation that there was no provision to ensure that the equipment and furnishings are kept in a safe and sanitary condition. Final standard PPS-04.2 has been added to include this requirement.

Final Standards

PP-04	**Equipment and Furnishings**
PPS-04.1	The play equipment and the furnishings of the day nursery shall be provided in accordance with: a) the capacity of the nursery b) the ages and developmental levels of the children enrolled c) the type of program(s) offered and the play equipment shall be sufficient in quantity to allow for rotation.
PPS-04.2	The equipment and furnishings of the day nursery shall be maintained in a safe and sanitary condition.

Proposed Standard

PPS-04.2 **All chemicals, disinfectants and other poisonous substances used in a day nursery shall be stored in a locked cabinet or cupboard.**

Commentary

The requirement for storage of hazardous substances in this proposed standard has been transferred to part 1(f) of final standard PPS-03.1, where it is considered to be more appropriately placed. That provision requires that hazardous substances be kept inaccessible to children, thus maintaining the safety of the children while allowing for flexibility of interpretation.

Proposed Standard

PPS-04.3 **Every day nursery shall have a cupboard or cabinet that can be locked for storage of confidential records.**

Commentary

Feedback on the proposed standard was positive. It is covered, however, in final standard PS-07.1, which specifies that personal records of the child and family are to be kept confidential and in a locked container. The proposal is therefore redundant, and has been deleted.

Proposed Standard

PPS-04.4 **A washable blanket and sheet shall be provided for every child during the child's sleeping and resting periods.**

Commentary

Very little feedback was received on this proposal. However, another provision has been added in response to the concern that there be a requirement for the laundering of bedding. The final standard is renumbered PPS 04.3.

Final Standard

PPS-04.3 A washable blanket and sheet shall be provided for every child during resting periods; bedding shall be laundered weekly.

Proposed Standards

PPS-04.5 **Where children under 18 months of age are enrolled, the equipment and furnishings shall also include:**

a) **a table or counter space adjacent to a sink for dressing and changing diapers, one child at a time, for every ten children enrolled**

b) **at least one sink and one flush toilet or hospital service sink for every ten children enrolled**

c) **a crib for each child enrolled.**

PPS-04.6 **Where children from 18 months of age to 30 months of age, both ages inclusive, are enrolled, the equipment and furnishings shall also include:**

a) **a table or counter space adjacent to a sink for dressing and changing diapers, one child at a time, for each group of 12 children enrolled**

b) **at least one sink and one flush toilet or hospital service sink for each group of 12 children enrolled**

c) **a cot for each child enrolled for a full-day session.**

PPS-04.7 **Where children from 30 months of age to five years of age, both ages inclusive, are enrolled, the equipment and furnishing shall also include:**

a) at least one sink and one flush toilet on the same premises as the activity room space for each group of 15 children enrolled

b) a cot for each child enrolled for a full-day session.

PPS-04.8 **Where children from six to nine years of age, both ages inclusive, are enrolled, the equipment and furnishings shall also include:**

a) a separate washroom for boys and girls which shall not be public washrooms used simultaneously by the public

b) at least one sink and one flush toilet in each washroom for each 15 children enrolled; a urinal may be substituted in the boys' washroom where more than one such toilet is required.

Commentary

There was considerable comment on these proposals during the consultation period. There was concern that it be made clear that the sinks referred to in these standards do not include kitchen sinks, and that the diaper changing areas are not adjacent to kitchen and food preparation surfaces. Both the health care and the food service and preparation practices fall within the jurisdiction of the Public Health Act, and the regulations are very specific as to separating personal hygiene areas from kitchen facilities. Therefore, it would be redundant to include such provisions in these standards.

The possibility was also raised of requiring temperature control devices on all sources of water used by the children to protect them from being burned. After investigation, the Ministry has concluded that the cost would prove an undue hardship for programs, especially for part-time programs and those in shared premises. As in their own homes, proper supervision of children and instruction in the safe use of equipment should provide adequate protection from injury.

A few respondents suggested that part (c) of proposed standard PPS-04.5 should provide for "a crib or cot, depending on the child's developmental stage" for each child under 18 months enrolled. However, a crib is more practical than a cot, since it can accommodate both infants and toddlers. It was pointed out that cribs should conform to the specifications of the federal Hazardous Products Act, and the final standard includes this requirement.

For children aged 30 months through five years of age, the option of a cot or Ministry-approved resting pad has been added to accommodate handicapped children who cannot manage to get in and out of a cot.

One respondent was concerned that cots be placed a specific distance apart to provide some degree of privacy, and minimize the spread of infection from one child to another. Again, the necessary building plan approval ensures the provision of an adequate sleeping area.

Lastly, there were several comments to the effect that the numbers of sinks and toilets per group of children should be changed to correspond to the required adult/child ratios in order to facilitate grouping as per Schedule 2 and toileting procedures. However, the total numbers of sinks and toilets are specified in the Building Code Act and therefore have been deleted from the final standards. The facilities required for changing toddlers' diapers have been amended to correspond to the Building Code requirements for toilets for this age group.

The final standards are renumbered PPS-04.4 through PPS-04.6.

Final Standards

PPS-04.4 Where children under 18 months of age are enrolled, the equipment and furnishings shall also include:

a) a table or counter space adjacent to the sink for dressing and changing diapers, one child at a time, for every ten children enrolled

b) a crib that meets the regulations of the Hazardous Products Act (Canada) for each child enrolled.

PPS-04.5 Where children from 18 months of age to 30 months of age, both ages inclusive, are enrolled, the equipment and furnishings shall also include:

a) a table or counter space adjacent to the sink for dressing and changing diapers, one child at a time, for every 15 children enrolled

b) a cot for each child enrolled for a full-day session.

PPS-04.6 Where children from 30 months of age to five years of age, both ages inclusive, are enrolled, the equipment and furnishings shall also include a cot or approved resting mat for each child enrolled for a full-day session.

Proposed Standard

PPS-04.9 **In full-day programs, a private flush toilet shall be provided for the use of the staff; a separate staff washroom shall be provided where 48 or more children are enrolled in a full-day program.**

Commentary

The feedback received on this proposed standard was minimal. One respondent suggested that a sink as well as a private flush toilet be provided for the staff. Similarly, it was suggested that all full-day programs have a separate washroom for staff, regardless of size. These proposals would add unnecessary cost burdens to small programs and those on shared premises. The provision requiring a separate enclosed flush toilet ensures privacy for adults.

The point at which a separate washroom for staff is required has been converted from numbers of children to numbers of program staff for clarity. The final standard is renumbered PPS-04.7.

Final Standard

PPS-04.7 | In a full-day program, a private flush toilet shall be provided for the use of the staff, and a separate staff washroom shall be provided where six or more program staff are employed.

Proposed Standard

PPS-04.10 **Except where telephone service is not available in the community**

a) Each nursery shall have a telephone.

b) Each building shall have a telephone extension in a nursery accommodated in several buildings.

Commentary

Although the feedback on this proposal was limited but supportive, it has been amended to allow for flexibility in meeting the needs of specific programs, while ensuring adequate telephone service. The final standard is renumbered PPS-04.8.

Final Standard

PPS-04.8 | Except where telephone service is not available in the community, the day nursery shall have appropriate telephone service.

PP-05 Fire Safety and Emergency Information

Proposed Standards

PPS-05.1 **The operator shall ensure that:**

a) A written procedure specifying the duties of each member of the staff and acceptable to the local fire chief is established and followed in case of fire.

b) The written procedure is posted in a conspicuous place in each room of the day nursery.

c) Fire drills are conducted at least once a month.

d) A written record is kept of fire drills and tests of the fire alarm system.

e) A written record is kept of all tests of fire protection equipment carried out by the local fire chief.

PPS-05.2 The operator shall ensure that a list of emergency addresses and telephone numbers is posted on a card adjacent to the telephone in the day nursery, and this list shall include but not be limited to:

a) the fire department

b) the nearest hospital

c) ambulance service

d) poison control centre

e) police department.

PPS-05.3 Emergency contact information, updated every six months, shall be easily accessible at all times that children are in a day nursery, and shall include but not be limited to:

a) means of transportation to the source of emergency care

b) name, address and telephone number of each child's physician

c) home and work addresses and telephone numbers of each child's parent(s) or guardian

d) any special medical information provided by the child's parent(s) or guardian or physician

e) any additional information on special needs of the child, as specified by the child's parent(s) or guardian or physician, that might be helpful in handling an emergency situation.

Commentary

Generally speaking, these proposals were well received. A number of changes have been made to reflect concerns raised during the consultation process, and to clarify the wording.

The addition to part (a) of proposed standard PPS-05.1 of the requirement that staff be familiar with their responsibilities in the event of a fire ensures that all staff are aware of and knowledgeable as to the emergency procedure. Parts (d) and (e) of the proposal have been combined in the final standard, as they both deal with the maintenance of fire equipment. As the local fire department does not carry out tests of fire protection equipment, reference to this has been dropped from the final standard. Two respondents pointed out that there should be a designated place of shelter should a day nursery need to evacuate the premises in an emergency situation, and part (e) has been added to the final standard to include this suggestion.

A new final standard, numbered PPS-05.3, has been added in response to the concern that a daily record be kept of arrivals and departures of the children to facilitate a rapid and accurate accounting for their whereabouts in the event of an emergency. Proposed standard PPS-05.3 is therefore renumbered PPS-05.4.

The final standard requires that an up-to-date record of emergency contact information be maintained, rather than updated every six months as originally proposed, to ensure that the health and safety of the children and staff are not jeopardized by incorrect emergency contact information. To further protect the children, the standard requires that emergency contact information include each child's OHIP number and the surname and initial of the subscriber, and the home and work addresses and telephone numbers of an emergency contact person if a parent or guardian cannot be reached. Reference to a means of transportation to a source of emergency care has been deleted from proposed standard PPS-05.3 in view of the requirement in PPS-05.2 that the list of emergency addresses and telephone numbers include the nearest ambulance service and the police department. Parts (d) and (c) of proposed standard PPS-05.3 have been combined.

Final Standards

PP-05	**Fire Safety and Emergency Information**
PPS-05.1	The operator shall ensure that: a) A written procedure specifying the duties of each member of the staff and acceptable to the local chief fire chief is established, and staff are instructed as to their responsibilities in the event of fire. b) The written procedure is posted in a conspicuous place in each room of the day nursery. c) Fire drills are conducted at least once a month. d) A written record is kept of all fire drills, all tests of the fire alarm system and all tests of fire protection equipment. e) There is a designated place of shelter in the event that the day nursery must be vacated due to an emergency.
PPS-05.2	The operator shall ensure that a list of emergency addresses and telephone numbers is posted on a card adjacent to the telephone in the day nursery, and this list shall include but not be limited to: a) the fire department b) the nearest hospital c) the nearest ambulance service d) the nearest poison control centre e) the police department.
PPS-05.3	The operator shall ensure that a daily record of all children in attendance indicating arrivals and departures is completed and easily accessible at all times.

PPS-05.4 Emergency contact information maintained up to date shall be easily accessible at all times that children are in the day nursery, and shall include but not be limited to:

a) the name, address and telephone number of each child's physician, the child's OHIP number and the surname and initial of the subscriber

b) home and work addresses and telephone numbers of each child's parent(s) or guardian and an emergency contact person(s) if a parent or guardian cannot be reached

c) any special medical information provided by the child's parent(s) or guardian or physician, or additional information that might be helpful in handling an emergency situation.

8. ORGANIZATION AND MANAGEMENT

The Principles

The principles reflected in the development of standards for organization and management in day nurseries services have been:

1. Stability/Viability: Every operator of day nurseries services must be committed to maintaining an organization that is steadfast in purpose, and capable of continued existence and development, to ensure the availability of high-quality service.

2. Accountability: Every day nurseries organization must be continually accountable to its sources of support for its planning and control of its operations and expenditures.

3. Continuity of Care: All children are entitled to care based on planning that is coherent, consistent and responsive to their changing needs and circumstances.

4. Responsibility to Parents and Others Served: Day nurseries must be able to establish positive and continuing relationships with the parents of children enrolled and with any community agencies being served.

5. Responsibility to Staff: Every operator of a day nursery has a responsibility to ensure that the best possible staff are recruited, and that staff are treated in a fair and equitable manner.

The Organization and Management Proposals

The standards proposed in the organization and management section of the consultation paper are considered to be the basic requirements for ensuring organizational stability and consequently continuity of care for any group program or private-home day care agency regardless of its size or structure. Most of the provisions related to the centres are contained in current legislation, and are still seen to be appropriate.

The limited but generally supportive response to the proposals has resulted in some minor changes. In the interest of eliminating redundancy, it was decided that several of the standards in this section were more appropriately covered elsewhere, and should therefore be deleted.

In addition, a new sub-heading, "Terms and Conditions", has been added to provide for day nurseries operating in special circumstances. Nurseries providing service over extended hours or enrolling 80 or more children will be required to comply with specific terms and conditions prescribed by the Regional Director.

The final organization and management standards for private-home day care agencies remain virtually unchanged with one exception. The requirement for agencies to have exclusive placement of all children enrolled in their supervised homes received considerable opposition, and has been eliminated.

The proposed standards regarding insurance coverage for centres and agencies generated more comment than any other in this section. Concerns about the adequacy of coverage resulted in a clearer statement of the minimum types of insurance expected of operators and a flexible solution to the question of how insurance for private-home day care providers may be arranged.

The consultation paper contained a large number of guidelines relating to personnel practices and procedures. These have not been repeated in this document as the personnel practices of operators continue to be unregulated.

The Organization and Management Standards

OM-01 Statement of Purpose

Proposed Standards

OMS-01.1 **Every operator shall have a written statement of purpose and function for each day nurseries and private-home day care program that it operates, to include:**

- **a) program philosophy**
- **b) children to be served: ages, sex, number, handicaps if any**
- **c) catchment area served**
- **d) services to be provided to meet identified special needs where handicapped children are enrolled. (SEE: PS-01.1.)**

OMS-01.2 **The statement of purpose shall be reviewed annually by the operator as part of the process of licence renewal.**

Commentary

The essential components of proposed standard OMS-01.1 are covered by the requirements for a written statement of the program philosophy and method of operation of a day nursery or private-home day care agency in final standards PS-01.1 and DCS-01.1, where they are considered to be more appropriately placed. An annual review of these statements as part of the process of licence renewal is required by final standards PS-01.2 and DCS-01.2. These proposals have therefore been deleted from the final standards.

OM-02 Identifiable Authority

Proposed Standard

OMS-02.1 **Every operator of a day nursery shall designate an authority within its organization who has responsibility for the management of programs under The Day Nurseries Act, 1978 and oversees day-to-day operations.**

Commentary

While the response to this proposed standard was not extensive, it was generally supportive. One submission suggested that a minimum qualification or a description of the person in authority be included. Since the Ministry does not regulate the qualifications of program operators, it is not necessary to do so for the person delegated management authority by the operator.

Another respondent commented that the on-site authority should be named on the licence application form as the owner or operator was often absent. This information is maintained on file in the Ministry's area offices, and is therefore not required.

The word "person" replaces "authority" in the interest of clarity.

The proposed standard also applies to operators of private-home day care agencies, and has therefore been amended accordingly. The final standard is renumbered OMS-01.1.

Final Standard

OM-01	**Identifiable Authority**
OMS-01.1	The operator of a day nursery or a private-home day care agency shall designate a person within its organization who has responsibility for the management of programs under the Day Nurseries Act, R.S.O. 1980, c. 111, and oversees day-to-day operations.

Proposed Standard

OMS-02.2	**The ultimate control and management authority over a day nursery or a private-home day care agency shall rest with the licensed operator.**

Commentary

Since the operator is legally responsible for the control and management of a day nursery or private-home day care agency, it is not necessary to state this requirement explicitly as a separate provision. The proposed standard has therefore been deleted.

Terms and Conditions

Commentary

A new section headed "Terms and Conditions" has been added to provide for day nurseries operating in special circumstances.

To meet the needs of parents whose hours of work are atypical, day nurseries that operate for more than 12 hours per day to provide care for children beyond normal operating hours may be licensed subject to terms and conditions in addition to the requirements for other nurseries. A new final standard numbered OMS-02.1 requires compliance with the additional terms and conditions.

The requirement that a day nursery planned for 80 or more children receive Ministry approval also subject to additional terms and conditions, initially proposed as physical plant standard PPS-01.3, has been transferred to this section as final standard OMS-02.2.

Final Standards

OM-02	**Terms and Conditions**
OMS-02.1	A day nursery that operates for more than 12 hours in a continuous period of 24 hours and is licensed subject to terms and conditions in addition to those prescribed by the regulations of the Day Nurseries Act, R.S.O. 1980, c. 111 shall comply with these terms and conditions.
OMS-02.2	A building to be used as a day nursery, whether new or to be renovated, with a planned capacity of 80 children or more shall receive approval of the Ministry subject to terms and conditions in addition to those prescribed by the regulations of The Day Nurseries Act, R.S.O. 1980, c. 111.

Financial Records and Reporting

OM-03 Financial Records

Proposed Standard

OMS-03.1 **Every operator shall keep financial records in accordance with generally accepted accounting principles for any day nursery or private-home day care agency operated.**

Commentary

This proposal was generally supported by the few respondents who commented on it. One submission suggested that particular items contained in financial records should be identified, as these are specified in the regulatory provisions in existing legislation. The Ministry considers these items to be implied in the term "generally accepted accounting principles". It was also pointed out that the proposal did not stipulate the length of time for which records should be retained. The requirement that financial records be kept for six years is specified in section 15 of Regulation 235, and has been incorporated into the final standard.

Final Standard

OM-03	**Financial Records**
OMS-03.1	The operator shall keep financial records in accordance with generally accepted accounting principles for any day nursery or private-home day care agency operated, and retain such financial records for at least six years from the time of their making.

OM-04 Financial Reporting

Proposed Standard

OMS-04.1 **Every operator shall, in respect of each day nursery, private-home day care service or in-home service provided by the operator, furnish to the Ministry such financial and statistical information as the Ministry may from time to time require.**

Commentary

The few comments received on this proposal were generally supportive. Several respondents contended that the Province had no authority to require financial information if a program was not funded by the Ministry. Another group asked for administrative support in the preparation of requested data. This proposal is an existing regulation that is still considered appropriate. All programs licensed under the Day Nurseries Act are accountable to the Ministry regardless of their sources of financial support. Such data are necessary for the formulation of policy with regard to day nurseries, and must be comprehensive. The proposal has therefore been retained.

Final Standard

OM-04	**Financial Reporting**
OMS-04.1	The operator shall furnish to the Ministry such financial and statistical information as the Ministry may from time to time require with respect to each day nursery, private-home day care service or in-home service provided by the operator.

Proposed Standard

OMS-04.2 **Every municipality and band shall, in respect of day nursery services, private-home day care or in-home services that it purchases pursuant to any agreement entered into under The Day Nurseries Act, furnish to the Ministry such financial and statistical information as the Ministry may from time to time require.**

Commentary

This proposal was supported by the few respondents who commented on it. Only one suggested that the reference to statistical information be deleted. This requirement is a current regulation, and also assists the Ministry in developing policy. The provision has been deleted from this set of final standards, since it applies to municipalities and bands rather than operators of day nurseries and private-home day care agencies, but will appear in the revised regulations in the appropriate section.

OM-05 Registers and Agreements

Proposed Standards

OMS-05.1 **Every private-home day care agency shall keep on its premises a current register of all its supervised day care homes and all information regarding them required by The Day Nurseries Act and the regulations, and it shall provide such information as may from time to time be required by the Ministry.**

OMS-05.2 **Every private-home day care agency shall have a written agreement to place each child enrolled in each of its supervised day care homes, and shall keep a current register of all children enrolled and a record of the home in which each child is placed.**

Commentary

Responses to OMS-05.1 as proposed were generally supportive. One response disagreed with the proposal, but made no further comment. It is essential that private-home day care agencies maintain up-to-date records that will assist the Ministry in regulating the agencies. Another respondent requested clarification of the term "current register". While the

requirements are not specified in the final standard, the Ministry will be providing assistance and advice regarding the content. Several respondents suggested that the standard should delineate what kind of information the Ministry may require. The Ministry periodically requests specific statistical information that is intended for use in policy development. Thus it would not be appropriate to define the information required in detail.

Although some respondents supported the concept of an exclusive placement requirement, much of the comment focussed on the self-employed status of providers and the significance for them of the restriction to caring for agency-placed children. Other respondents requested clarification regarding the administrative requirements. After careful consideration of this feedback, the Ministry concluded that enforcement would be punitive for some providers, and that the provision was over-regulatory. It has therefore been deleted.

The requirement that a register of children be kept has been retained, and added to OMS-05.1.

Final Standard

OM-05	**Registers and Agreements**
OMS-05.1	The private-home day care agency shall keep on its premises a current register of all its supervised day care homes and all information regarding them required by the Day Nurseries Act, R.S.O. 1980, c. 111 and the regulations, and a current register of all children enrolled and a record of the home in which each child is placed, and shall provide such information as may from time to time be required by the Ministry.

Proposed Standard

OMS-05.4	**Every private-home day care agency shall provide each prospective day care provider with a written copy of all requirements of providers as set out in The Day Nurseries Act and relevant agency policies, and obtain a signed acknowledgement from the provider that such information has been received prior to commencement of an agreement under OMS-05.3.**

Commentary

Although feedback on this proposal was not extensive, most comments were positive. One respondent suggested that the standard should include a requirement for providers not only to receive but also to read the necessary information before signing the acknowledgement. It is the agency's responsibility to review relevant policies and legislation with providers to ensure that they understand their obligations when agreeing to comply with them. The proposed standard remains unchanged. It is renumbered OMS-05.2.

Final Standard

OMS-05.2 The private-home day care agency shall provide each prospective day care provider with a written copy of all requirements of providers as set out in the Day Nurseries Act, R.S.O. 1980, c. 111 and relevant agency policies, and obtain a signed acknowledgement from the provider that such information has been received prior to commencement of an agreement under OMS-05.3.

Proposed Standard

OMS-05.3 **Every private-home day care agency shall complete a written agreement with each of its day care providers specifying the financial and administrative arrangements between them.**

Commentary

Feedback on this proposal was limited but generally supportive. One respondent disagreed but did not offer any further comments. Another requested clarification of "financial and administrative arrangements". The Ministry recognizes that agencies have different policies with respect to these arrangements, and to allow for the desirable flexibility, has not included a definition. One group expressed confusion regarding the parties involved in the written agreement. It was suggested that the proposal did not address the issue of distinguishing between agency-supervised full-fee-paying and subsidized children and unsupervised privately placed children. The proposed standard clearly states that the written agreement is between the agency and the provider, and thus includes any children placed by the agency. Unsupervised children are not covered by the agreement, except to the extent that a provider must comply with the total capacity for the home established by the agency. The standard remains unchanged.

Final Standard

OMS-05.3 The private-home day care agency shall complete a written agreement with each of its day care providers specifying the financial and administrative arrangements between them.

Proposed Standard

OMS-05.5 **A municipality that retains an agency to furnish private-home day care shall complete a written agreement specifying the financial and administrative arrangements between them.**

Commentary

The few comments on this proposal were positive. Municipalities will be required to comply with the provision in order to obtain provincial funding for the purchase of private-home day care service. The final standard has been reworded, however, to apply to operators and to encompass day nursery services as well as private-home day care. It is renumbered OMS-05.4.

Final Standard

OMS-05.4 Where an operator arranges to provide day nursery services or private-home day care on behalf of a municipality or band, the operator shall retain a record of the written agreement with the municipality or band specifying the financial and administrative arrangements between them.

OM-06 Insurance

Proposed Standard

OMS-06.1 **Every operator of a day nursery or a private-home day care agency shall have a policy of insurance covering the following risks:**

a) liability to third parties or children in care arising from any accident, mishap or other incident on the operator's premises

b) liability to third parties or children in care arising through the use of any vehicle, whether owned or not owned by the operator, used by any of the operator's staff or agents on the operator's business.

OMS-06.2 **Every private-home day care agency shall ensure that each caregiver in its supervised homes has a policy of insurance covering liability to third parties on children in care arising from any accident, mishap or other incident on the provider's premises.**

Commentary

The proposed insurance standards were discussed extensively during the consultation process. While some respondents agreed with them, several concerns were expressed that have been reviewed with knowledgeable persons in the insurance industry. The proposed standards have been revised in light of the concerns, the particular types of coverage available and their suitability for day nurseries and private-home day care.

Many respondents stated that part (a) of OMS-06.1 and OMS-06.2 should include coverage for incidents occurring on or off the operator's or provider's premises while children were in supervised care. It was suggested that a provision regarding field trips should be incorporated into the proposals. One individual also stated that permission forms were important where transportation on trips was concerned. Another respondent commented that the liability coverage for vehicles was inadequate, and suggested an additional clause requiring caregivers to have insurance covering liability to third parties or children in care arising through the use of the caregiver's family vehicle. Several submissions also requested that a minimum dollar amount for the policy of insurance be specified in the standards.

Final standard OMS-06.1 clearly specifies the minimum types of insurance that operators must have. The wording of the final standard does not limit the requirement concerning comprehensive general liability coverage in part (a) to incidents occurring on the premises of the program. It allows for coverage of the entire operation including field trips. Inclusion of a separate clause regarding insurance on providers' family vehicles was considered unnecessary. Under part (b) of final standard OMS-06.1, all vehicles must have liability coverage, and OMS-06.2 requires a private-home day care agency to ensure that its providers comply. In recognition that insurance rates vary among companies and over time, a minimum dollar amount for insurance has not been specified in the final standards.

Two additional issues were raised concerning proposed standard OMS-06.2. One respondent stated that regular household insurance, which also covers accident or injury on the private-home day care provider's premises, was adequate. The types of coverage outlined in part (a) of final standard OMS-06.1 is part of any standard homeowner's or tenant's insurance package. The Ministry considers this provision to be the minimally acceptable requirement to ensure that operators and providers are financially protected from risks involving third parties or children in care.

Another respondent agreed with proposed standard OMS-06.2 in principle, but pointed out several inherent problems. First, it would be cumbersome to require all providers to produce insurance certificates. Second, insurance companies have a variety of plans, and some would not cover liability costs if private-home day care were considered a business. Finally, the cost would be prohibitive for some providers who receive family benefits allowance or welfare payments. To overcome these problems, it was suggested that the agency should have a third party liability insurance policy where providers could be included as "named insured". The wording of final standard OMS-06.2 allows for this possibility. Providers may obtain their own insurance or be covered by the agency's policy.

Final Standards

OM-06	**Insurance**
OMS-06.1	The operator of a day nursery or a private-home day care agency shall have a policy or policies of insurance that shall include but not be limited to the following coverage: a) comprehensive general liability coverage including personal injury coverage to pay on behalf of the operator all sums which the operator shall become obligated to pay by reason of the liability imposed by law upon the operator, including employees and volunteers or assumed by the operator under contract b) liability coverage for all vehicles whether owned or not owned by the operator used by the operator, employees, and volunteers while on the operator's business.
OMS-06.2	The private-home day care agency shall ensure that there is a policy or policies of insurance wherein each of its providers has insurance coverage conforming with the requirements of OMS-06.1.

9. PRIVATE-HOME DAY CARE AGENCIES

The Principles

The following principles have guided the development of the private-home day care agency standards.

1. Program Quality: Every child enrolled in supervised private-home day care is entitled to a program of good quality that provides each child with a sense of being secure and accepted as an individual as well as opportunities to enhance his or her social, emotional, intellectual and physical development.

2. Balanced Program: Every child enrolled in supervised private-home day care is entitled to receive care and guidance from a person capable of balancing the child's need for development and stimulation and his or her need for a warm, caring environment.

3. Safe, Health Environment: Every child enrolled in supervised private-home day care is entitled to a safe, healthy environment.

The Private-Home Day Care Proposals

For many families, the preferred form of child care is found in the warmth of a family home. Care in a private home has the flexibility to accommodate siblings together. Often, it enables school-aged children to attend the neighbourhood school, and thus to maintain neighbourhood friendship. The parents of infants are reassured to find a situation where the child has opportunity to develop with the interest of a single adult figure and with a small group of companions.

Supervised private-home day care adds to a family environment the advantage of the support of a professional home visitor who assists parents in articulating their needs, and in matching the child and the caregiver. This support continues in the provision of training and ongoing communication with caregivers which ensures that mutual expectations are understood, and concerns are resolved.

Because parents share responsibility with the care provider, they expect to play an active role in making decisions about particular aspects of care regarding their own children. The programming standards for private-home day care agencies are intended to support the relationship between the parent and the provider.

While this form of care has distinctive features, some of the standards relating to the provision of service are similar to those for group care programs. Agencies are required to provide parents (and providers) with written program information including a general statement regarding parental involvement to assist them to make informed, responsible choices in the placement of their children. While the Ministry wishes to encourage agencies to develop a separate, more detailed statement concerning parent involvement, it was decided not to specify the content of this statement, in order to allow agencies the flexibility to formulate policies that meet their individual needs. Decisions with respect to nutrition, the administration of drugs and supervision of outdoor play are expected to include parent, provider and home visitor.

As with centre care, the proposals for the appropriate length of time for rest generated considerable discussion. They were resolved in a similar manner. The requirements in the final standards are intended to meet the child's need for rest without infringing on individual patterns of sleep in the home.

While the proposed nutrition standards received the greatest amount of feedback during consultation, most of the comments consisted of requests for clarification or minor wording changes. The final standards reflect the consideration that was given to these comments.

There was much debate as to the age at which a child should be permitted to play outdoors without an adult being present. The Ministry adopted the recommendation from the field that the parent, provider and home visitor agree on supervision of outdoor play, which would be determined primarily by the needs of the individual children in care.

As was stated in the consultation paper, the majority of the proposed physical plant standards for private-home day care were a confirmation of current regulations enforced through purchase of service agreements. The feedback was essentially supportive. For the most part, it consisted of requests for clarification and minor wording changes.

The provision requiring the private-home day care visitor to inspect each home at least every three months generated the most discussion during the consultation process. It should be remembered that the individual home of the provider is not licensed. The agency holds the licence, and undertakes to ensure the high quality of care in the homes under its supervision. Home visitors, in addition to providing training and support, are responsible for supervising the agency providers, particularly in the sensitive area of behaviour and guidance.

More of the respondents who commented on the proposal, however, were concerned about the time between home visits. Most thought the proposed three months too long an interval to ensure stability and quality of care, and suggested that a visit be conducted at least once a month. The Ministry wishes to emphasize that the three-month requirement is a minimum. If a private-home day care visitor finds that a provider requires additional support, the provision does not prevent more frequent visits to the home, and in fact, this practice is encouraged.

Because of the complex role played by home visitors, it is important that they exhibit a wide range of skills. They must be able to relate well to other adults in their capacity as a support to providers and a liaison between provider and parent. They must be knowledgeable in child development principles, in health and safety procedures, and in the practice of good nutrition in order to fulfill the responsibility of ensuring care of high quality for children from infancy to age 12. The preparation for this role suggested in the consultation paper, a diploma in early childhood education or the equivalent competency, was considered by many respondents to be overly restrictive. The proposed requirement has been rewritten to broaden the disciplines recognized as providing appropriate preparation for such work. The requirements for direct experience with children and Ministry approval have been retained. For the reasons cited in the chapter on human resources in centre care (see pages 55-56) the Ministry will not at this time undertake to establish measures of equivalent competency for home visitors.

The Standards for Private-Home Day Care Agencies

The Program

Proposed Standards

DC-01 **Program Statement**

DCS-01.1 **Every private-home day care agency shall have a written statement outlining the program philosophy and method of operation of each of its private-home day care programs, and this statement shall be readily available upon request. This statement shall specify:**

a) the children who may be enrolled in terms of age range, handicaps, if any, and their degree, and the number by age and handicap

b) the length of operating day, week and year

c) the particular approach to programming that is followed, including

i) philosophy
ii) preferred daily activities
iii) personal care
iv) parental involvement
v) behaviour and guidance
vi) specialized services. (SEE also: OMS-01.1.)

DC-02 Statement of Preferred Daily Activities

DCS--02.1 Every private-home day care agency shall have a written statement of preferred daily activities and the statement shall be made available to each of its providers.

DCS-02.2 The statement of preferred daily activities shall include, but not be limited to, the following:

a) group and individual activities

b) activities designed to promote gross and fine-motor, cognitive, social and emotional development activities

c) active and quiet play

d) outdoor play, especially for children more than two years of age in attendance for a full day, and the conditions under which such play shall not occur.

Commentary

A number of changes have been made in these proposed standards as a result of the consultation process. Final standard DCS-01.1 specifies that the written statement must be readily available "to parent and providers". Part (a) has been revised to read "services offered and age range served", and "holidays observed" has been added to part (b). A new part (c) includes "fee schedule and admission and discharge policy". "Health care including nutrition" and "excursions off the premises" have been added to the former part (c), which becomes part (d) of the final standard.

It was suggested that a provision be added requiring a list of alternative caregivers or sources of care for occasions when the current caregiver is unable to provide care. Although this is a good practice, it would be impracticable to enforce. It was also suggested that the written statement require that each child be required to make a pre-enrolment visit during the day care hours. Again, this is a good practice, but it is unenforceable.

The requirement that the written statement be reviewed annually, contained in proposed standard OMS-01.2, has been transferred to this section, as this was considered a more appropriate place for it.

One respondent suggested adding a provision that the agency "demonstrate" the content of the written statements required in proposed standards DCS-01.1 and DCS-02.1. This would involve a pre-visit by parents to the provider's home, which usually occurs during the agency's matching process, but, as indicated above, cannot be regulated.

The written statement of preferred daily activities required in proposed standard DCS-02.1 caused some concern that an overemphasis on scheduling would prevent flexibility. This provision refers not to a schedule, but rather to an array of activities the agency encourages the providers to offer that fall within the broad categories listed in proposed standard DCS-02.2. It does not preclude variety in the daily routine.

The intent of part (d) of proposed standard DCS-02.2, requiring that conditions be identified under which outdoor play would not occur, was unclear. It is expected that children will play outside daily except where specific circumstances warrant remaining indoors, for example, inclement weather.

Final Standards

DC-01 **Program Statement**

DCS-01.1 The agency shall have a written statement outlining the program philosophy and method of operation of each of its private-home day care programs, and this statement shall be readily available to parents and providers. This statement shall specify:

a) services offered and age range served

b) the length of operating day, week, year and holidays observed

c) fee schedule and admission and discharge policy

d) the particular approach to programming that is followed including:

i) philosophy
ii) preferred daily activities
iii) personal and health care including nutrition
iv) parental involvement
v) behaviour and guidance
vi) specialized services
vii) excursions off the premises.

DCS-01.2	The written statement outlined in DCS-01.1 shall be reviewed annually by the operator as part of the process of licence renewal.
DC-02	**Statement of Preferred Daily Activities**
DCS-02.1	The agency shall have a written statement of preferred daily activities, and the statement shall be distributed to each of its providers in accordance with OMS-05.2 and made available to parents.
DCS-02.2	The statement of preferred daily activities shall include, but not be limited to, the following: a) small group and/or individual activities b) activities designed to promote gross and fine-motor skills, language and cognitive, social and emotional development c) active and quiet play d) outdoor play, especially for children more than two years of age in attendance for a full day, and the conditions under which such play shall not occur.

DC-03 **Parental Involvement**

Proposed Standard

DC-03.1 **Every private-home day care agency shall have a written statement of policies and practices with respect to parental involvement in its child care services and its training/educational activities. (SEE: DCS-11.5.)**

Commentary

A number of respondents requested that this proposed standard outline in greater detail the aspects of their children's care in which parents should be involved. In the Ministry's view, this would reduce the flexibility of each agency to develop policies and practices that meet the needs of its clients. A statement about parental involvement has been retained in final standard DCS-01.1, as it is an integral part of an agency's approach to programming, and thus a key factor in parents' initial decision on whether or not to use the agency. Proposed standard DC-03.1 therefore is redundant, and has been deleted from the final standards.

DC-04 **Personal Care**

Proposed Standard

DCS-04.1 **Every private-home day care agency shall have a written statement of sanitary procedures for personal care, with particular reference to children under the age of two.**

Commentary

While the proposed standard was not the subject of extensive feedback, responses were generally supportive. One submission suggested that the proposal be deleted, but gave no explanation. It is important for providers to follow hygienic practices, particularly for younger children whose immune systems are immature.

One group recommended adding a requirement that providers be given a copy of the written statement of sanitary procedures. The suggestion has not been incorporated into the final standard because it is covered by final standard OMS-05.2, which requires the private-home day care agency to provide prospective providers with all relevant agency policies.

Another respondent suggested adding the phrase "and demonstrate that" after the written statement. This proposal has not been included in the final version for several reasons. The Ministry considers that it is the private-home day care visitor's responsibility to ensure that providers are complying with agency procedures. In addition, parents visit the supervised home every day and develop a relationship with the provider. Consequently, home visitors and parents will know whether the provider is following the agency policy.

Several submissions suggested that the written statement should be approved by the local medical officer of health. However, the Ministry is confident that the private-home day care visitor has the skills to prepare an appropriate statement; where difficulties arise, the medical officer of health can be consulted. The adequacy of the procedures can be checked by the Ministry because they are outlined in a written statement.

Some respondents commented that clarification was needed as to whether the sanitary procedures applied to the providers or to the children. The final standard clarifies that the procedures are intended for the personal care of the children.

The final standard is renumbered DCS-03.1.

Final Standard

DC-03	**Personal Care**
DCS-03.1	The agency shall have a written statement of sanitary procedures for personal care of the children, with particular reference to those under the age of two.

DC-05 **Rest**

Proposed Standard

DCS-05.1	**When care is provided for a full day, the agency shall ensure that the daily activities include provision for each child under the age of 18 months in attendance for a full day session to sleep or play outdoors for at least two hours when the weather is suitable unless a physician advises otherwise.**
DCS-05.2	**When care is provided for a full day, the agency shall ensure that the daily activities include provision for each child between the ages of 18 months and 30 months in attendance for a full day session to have a rest period of one hour.**
DCS-05.3	**When care is provided for a full day, the agency shall ensure that the daily activities shall include provision for each child between the ages of 30 months and five years of age, both ages inclusive, in attendance for a full day session to have a rest period of thirty minutes to one hour.**

Commentary

As with the similar proposal for infants in centre care, there was some confusion as to whether proposed standard DCS-05.1 was intended to ensure a rest period or provision for outdoor play. It is important that children be exposed to fresh air and sunlight daily; infants and toddlers very often use a portion of their outdoor time to sleep. Thus, the final standard, which is renumbered DCS-04.1, has been expanded to apply to children up to 30 months, in recognition of the needs of both infants and toddlers. Whether the time spent outdoors involves sleep or play will depend on the needs of the individual child. Also, a major concern expressed during consultation was that parents have the primary responsibility for their child, and should therefore have a part in determining whether their child goes outdoors. In response to this concern, the final standard provides for written advice from a "parent or guardian" as well as a physician.

As with centre care, the proposals concerning rest generated considerable comment, particularly about the amount of rest time required. Recommended rest time varied from 30 minutes to two hours, to a rest period suited to the individual child's needs. As the need for rest and sleep varies greatly at different ages and among children of the same age, proposed standards DCS-05.2 and DCS-05.3 have been combined in one final standard numbered DCS-04.2, which requires provision for a rest period of up to two hours following the mid-day meal. This provision acknowledges that some children who are tired may take a relatively long time to relax and fall asleep, but that rest at the day care home should not last so long that normal sleep patterns at home are disrupted. The rest requirements with respect to providers who offer extended hours of care would be covered under final standard OMS-02.1. Final standard DCS-04.3 has been added in response to the comment that more mature children do not sleep in the afternoon, and quiet activities provide the relaxation they need.

Final Standards

DC-04	**Rest**
DCS-04.1	The agency shall ensure that the daily activities include provision for each child under the age of 30 months in attendance for a full day to be outside for sleep or play for a period of up to two hours, weather permitting, unless a physician or parent or guardian advises otherwise, in writing.
DCS-04.2	The agency shall ensure that the daily activities include provision for each child between the ages of 18 months and five years, both ages inclusive, in attendance for a full day to have a rest period of up to two hours following the mid-day meal.
DCS-04.3	Children unable to sleep shall be permitted to engage in quiet activities.

DC-06 Health Care

Proposed Standard

DCS-06.1	**Before placement in a supervised home, the agency shall ensure that each child shall be given immunization as required by the local medical officer of health; the child shall be immunized thereafter as required by the local medical officer of health. A record shall be maintained by the agency of all immunizations of every child enrolled.**

Commentary

During consultation this proposed standard was generally supported, although some concerns were expressed. One group considered that the child's immunization record should also be available in the day care home. This has not been added to the final standard because providers can consult with the parent if the information is essential.

It was also suggested that the child's file should include a blanket consent form signed by the parents allowing emergency medical treatment. However, the Ministry considers that the use of blanket consent forms is an undesirable practice, and the legal status of such forms is questionable. Consent should be informed, and therefore specific consent would be required.

As with centre care, many respondents commented on the necessity for children to have a health assessment prior to admission and/or annually thereafter. Several suggestions were made regarding the different components of the assessment. The standard outlines a minimum requirement for preventive health care for children in private-home day care, and allows agencies to develop more stringent policies if they consider this appropriate.

Several submissions stated that the proposal should specify which inoculations are necessary and which are mandatory upon enrolment. The final standard does not include such a provision because the Ministry considers that these decisions should be made by health authorities. An exemption clause has been added to the final standard in agreement with the Immunization of School Pupils Act.

One group expressed a concern that no reference was made to children for whom the provider may be caring on a private basis. According to part (k) of final standard DCS-08.1, agencies are required to maintain immunization records only for children placed by them. However, children cared for under a private arrangement are covered by final standard DCS-12.1, which requires "every other person ordinarily resident or regularly on the premises" to have a physical examination and immunization. The agency would be aware of these children because the home visitor makes regular visits.

The reference to maintaining a record of immunization has been deleted, as it is included in part (k) of final standard DCS-08.1. The final standard is renumbered DCS-05.1.

Final Standard

DC-05 **Health Care**

DCS-05.1 The agency shall ensure that before admission to the program and from time to time thereafter, each child shall have immunization as required by the local medical officer of health, except where a parent or guardian files with the operator a statement of exemption for reasons of health or religion.

Proposed Standard

DCS-06.2 **The agency shall require that each provider make a daily inspection of every child in the private-home day care home before the child begins to associate with other children to detect symptoms of ill health, communicable disease and child abuse.**

Commentary

Although there was general support for the intent of this proposal, the majority of respondents objected to the concept of a "daily inspection", expressing the concern that this would prove insulting to some parents, interfere with the development of a positive parent-caregiver relationship, and embarrass the children. The final standard has been changed to reflect the suggestion that a "daily observation" would be more appropriate. Reference to "communicable disease" has been deleted, as this is covered by "ill health". The final standard is renumbered DCS-05.2.

Final Standard

DCS-05.2 The agency shall require that each provider make a daily observation of every child in the private-home day care home before the child begins to associate with other children to detect symptoms of ill health or child abuse.

Proposed Standard

DCS-06.3 **The agency shall ensure that each provider is aware of the child abuse reporting requirements as set out by The Child Welfare Act, 1978 and that the agency is informed of any suspected instance of abuse or report thereof.**

Commentary

The few comments received on this proposal were supportive. The requirements of the Child Welfare Act are specific, and therefore, awareness of child abuse is one of the topics to be included in final standard DCS-13.3, which requires an annual training plan for providers. This proposal is therefore omitted from the final standards.

Proposed Standard

DCS-06.4 **The agency shall ensure that any child in private-home day care who develops symptoms of serious illness shall be encouraged to remain in a quiet, but not completely isolated, area designated for rest and care until the child can be examined by a licensed physician or a nurse registered under The Nurses Act or until the parent or guardian can take the child home.**

Commentary

While feedback on this proposal was generally supportive, two respondents asked that the standard require that the provider contact the parent(s) in case of a serious illness. This is expected to be covered under final standard DCS-05.4 which requires written procedures with respect to serious occurrences. While one writer thought that the proposal did not allow for the child to be removed from the home to a hospital, this is by no means the case if the transfer is judged necessary.

After consultation with Ministry personnel, the reference to the Nurses Act has been changed to the Health Disciplines Act. The final standard is renumbered DCS-05.3.

Final Standard

DCS-05.3 The agency shall ensure that any child in private-home day care who develops symptoms of serious illness is encouraged to remain in a quiet, but not completely isolated, area designated for rest and care until the child can be examined by a licensed physician or nurse registered under the Health Disciplines Act, R.S.O. 1980, c. 196 or a parent, guardian or authorized person calls for the child.

Proposed Standard

DCS-06.5 **Where a serious accident, illness or death occurs to a child in a private-home day care home, the agency shall ensure that the provider promptly**

a) obtain all necessary emergency medical assistance

b) notify the parent or guardian of the child

c) notify the agency.

Commentary

As with centre care, this proposed standard received little comment in the course of consultation. The final standard requires the agency to have a written policy and procedures to be followed in the event of a serious occurrence (as defined in the glossary). This policy would cover the question of the respective responsibilities of agency and provider in informing parents, an issue raised by one respondent. Assistance in the development of such policies will be provided to operators who need it.

The final standard retains the requirement that notice be given the Ministry, and designates a time span. It is renumbered DCS-05.4.

Final Standard

DCS-05.4 The agency shall:

a) have a written policy and procedures with respect to serious occurrences in supervised homes

b) notify the Ministry within 24 hours of any serious occurrence.

Proposed Standard

DCS-06.6 **The agency shall ensure that every private-home day care provider keep available for emergency treatment on the premises a first-aid kit.**

Commentary

This proposal was generally supported by most respondents, but it has been amended to reflect the suggestion that the first aid kit and an accompanying manual be of a type acceptable to the Ministry. Two respondents thought that providers should have succesfully completed a current first aid course. However, this requirement would disqualify a large number of otherwise suitable providers. The emergency contact information required in final standards DCS-18.2 and DCS-18.3 should ensure that a child receives prompt medical attention if necessary. The final standard is renumbered DCS-05.5.

Final Standard

DCS-05.5 The agency shall ensure that every provider keeps available on the premises an acceptable first aid kit and manual.

Proposed Standard

DCS-06.7 **The agency shall require that in each supervised home:**

a) **Only those drugs and medications recommended in writing by a licensed physician shall be administered to a child in care.**

b) **All containers of any drug or medication to be administered to a child shall be clearly labelled with the child's name and instructions for the administration of the drug or medication.**

Commentary

As with centre care, the issue of whether a parent or guardian should authorize the administration of a drug or medication generated much discussion. The majority of respondents thought that it is parents' responsibility to determine whether a child receives medication, and that they should be allowed to exercise their discretion on this issue. Others thought that some parents may request that their child receive non-prescribed treatment that the agency or provider considers unnecessary, and feels uncomfortable administering. After careful consideration, the proposed standard was changed to read "Where the operator of a private-home day care agency agrees to the administration of drugs...". This gives the agency the option of refusing to permit its providers to administer drugs or medications and the parent the option of seeking alternative arrangements. In addition, part (c) has been changed to specify that drugs and medications are to be administered to a child in a supervised home only with specific written consent from a parent or guardian.

There was some concern as to how to prevent overlap between the child's home and the supervised home with respect to administering drugs. The requirements in parts (a) and (c) that there be a written procedure for the administration of drugs and that the parents provide a written schedule of administration for each drug or medication ensure continuity between the two homes with respect to the child's drug intake.

A number of respondents pointed out that the labels on drug containers should also include the date and name of the drug or medication. Part (b) includes these stipulations in addition to requiring that any drug or medication be provided in the original container, ensuring that any item to be administered is for a specific child, and is not out of date. Part (d) has been added in response to the concern that all drugs and medications be inaccessible to children for safety reasons.

The final standard is renumbered DCS-05.6.

Final Standard

DCS-05.6 Where the operator of a private-home day care agency agrees to the administration of drugs, the agency shall ensure that:

a) A written procedure, as directed by a nurse registered under the Health Disciplines Act, R.S.O. 1980, c.196, or by a legally qualified medical practitioner, is established for the administration of any drug or medication for any child enrolled and for the keeping of appropriate records, including those required under the Narcotic Control Act (Canada).

b) The provider stores all drugs and medications as directed in a location which is inaccessible to children and in the charge of the provider.

c) The provider administers drugs and medications only where a parent or guardian has given specific written instructions, including a written schedule of administration for each drug or medication.

d) The provider administers to a child only those drugs or medication provided by a parent or guardian in the original container clearly labelled with the child's name, the date, the name of the drug or medication and instructions for storage and administration of the drug or medication.

Proposed Standard

DCS-06.8 **Where there are animals in a private home where private-home day care is provided, the agency shall ensure that the animals are properly protected against rabies.**

Commentary

While some respondents to this proposal urged that all animals in a provider's home be examined annually by a licensed veterinarian and properly inoculated against rabies, others considered it intrusive in nature. Although this practice is desirable, it has not been included in the final standards. The final standard, which requires protection only for dogs and cats, is renumbered DCS-05.7. If a serious problem arises with respect to other animals in a home, the medical officer of health can be consulted.

Final Standard

DCS-05.7	The agency shall ensure that in each supervised home where there are dogs and cats on the premises, these animals are properly protected against rabies.

DC-07 Nutrition

Proposed Standard

DCS-07.1 **The private-home day care agency shall ensure that each provider in consultation with the child's parents and the private-home day care visitor plans menus and feeding arrangements that conform to the provisions of Canada's Food Guide.**

Commentary

Comments on this proposed standard were generally supportive. One group objected to the requirement for the home visitor to be consulted on the basis that it implies that the parents and provider are not capable of deciding the nutritional needs of the child. However, the agency is ultimately responsible for the quality of care offered in the home. Because nutrition is a significant aspect of the service, it is essential for providers to know what is expected of them by the agency and the parents, and for the agency to be informed about the provider's practices.

Several submissions commented that providers did not have time to plan menus and that such a requirement was an intrusion on the flexibility of the home. It was suggested that changing the word "menus" to "meals" would make the standard less restrictive. The Ministry considers that careful menu planning is important for monitoring nutritional contents, and assists in good financial management. Consulting with parents allows them to take into account what the child has been served when planning meals at home.

Addition of the phrase "and follows" after "plans" was recommended. The final standard does not include such a provision because home visitors are responsible for ensuring that providers follow agency policy. Parents will also be aware of the provider's compliance with agency procedures because they visit the home daily. The agency can provide support if any concerns arise.

Some respondents to the proposal made recommendations similar to those already discussed for centre care. They suggested clarifying what food constitutes a meal by listing the food groups in Canada's Food Guide or adding "and serve a variety of foods of a quantity and quality to meet the nutritional needs of the child during the period of attendance".

Although this proposed standard has not been so amended, some of the suggestions were incorporated into part (b) of final standard DCS-06.2. The reference to Canada's Food Guide has therefore been deleted from this standard.

The final standard is renumbered DCS-06.1.

Final Standard

DC-06	**Nutrition**
DCS-06.1	The agency shall ensure that each provider plans menus and feeding arrangements after consultation with the child's parent(s) or guardian and the private-home day care visitor.

Proposed Standard

DCS-07.2 **The private-home day care agency shall ensure that each caregiver shall provide:**

a) **feedings to each infant under one year of age in accordance with written instructions from the parents or guardian regarding type and scheduling; where formula is brought by parents it shall be stored in the refrigerator until feeding time; where more than one infant is cared for, the formula shall be individually labelled**

b) **meals for each child more than one year of age who attends the program for more than four hours a day**

c) between-meal snacks for all children more than one year of age according to Canada's Food Guide

d) special diets or feeding arrangements in accordance with written instructions from the parents or guardian supported by medical advice.

Commentary

This proposed standard aroused considerable discussion during consultation. Although several respondents supported part (a), many expressed concern regarding the phrase "under one year of age". Some suggested changing it to exclude children who are eating solid foods. Others recommended deleting it because some children above this age are receiving baby and junior foods or special formulas. Patterns of eating and food tolerances are highly individual in infants. New foods should be introduced judiciously because of the immaturity of the child's digestive system. This provision is intended to ensure that infants are fed in accordance with instructions from their parents until their diet consists primarily of table food. Special requirements after one year of age would be covered under part (e) of the final standard. Similarly, instructions under part (e) would also specify who is to supply the nourishment until the child is eating table food. Presumably such arrangements would be agreed to by the parent, provider and home visitor during the pre-placement visit.

Many respondents addressed the issue of parents providing written instructions. Some considered medical advice supporting parental instructions necessary in the case of infant feedings. While the child's physician is usually consulted, it is parents who are responsible for determining the amount, type and scheduling of new foods. Therefore, they should be actively involved in planning the child's nutritional intake during the hours of care. The requirement to obtain written instructions ensures that providers will be aware of parental practices.

One submission recommended addition of a provision to ensure that the overall nutritional needs of the infant are met during the period of attendance. The Ministry considers that parents understand their children's nutritional needs, and will plan accordingly. Where a concern arises, this question could be discussed during a consultation between the parents and provider with the home visitor's support.

It was suggested that nourishment, which could include a variety of foods, should be stored "appropriately" rather than "in the refrigerator". The standard has been amended accordingly.

Many submissions pointed out that part (b) of the proposed standard was ambiguous. They suggested rewording this section to specify the amount of food served and when it should be served. Consequently, the final version requires the provision of a "balanced meal at an appropriate meal time" rather than after four hours of attendance, and specifies the number of servings from each food group according to Schedule 1, which corresponds to Canada's Food Guide (see page 33). As with centre care, this provision applies to all children who are present unless there are written instructions from parents to the contrary, as in part (e).

A number of respondents pointed out that snacks should contribute to the child's total nutrient intake, and should not be detrimental to dental health. Part (c) of the final standard has been reworded to convey this concept. The Ministry will provide further advice and information to assist in planning appropriate snacks.

As a result of extensive discussion, a new part (d) has been added to the final standard. Young children in care for six hours or more depend on the food served for energy to sustain their activity. As they are often too tired to eat a complete meal at the end of the day, it is essential that they receive at least one half of the required daily serving during full-day care.

Responses to part (d) of the proposed standard indicated that it was unnecessary for instructions regarding special diets or feeding arrangements to be supported by medical advice in every case. Although parents may seek the advice of a physician, they are ultimately responsible for making decisions concerning the child's diet. To maintain consistency between the child's home and the supervised home, it is important for providers to be informed about parental practices. Reference to consultation with the home visitor has been added to ensure that the agency is also aware of the feeding patterns in the provider's home and the child's home if a child needs special arrangements because of food allergies or for other reasons. This part of the final standard is intended to ensure that mutual responsibilities and expectations, including who provides the food, are clearly outlined.

The final standard is renumbered DCS-06.2.

Final Standard

DCS-06.2 The agency shall ensure that each provider:

a) feeds each infant under one year of age in accordance with written instructions from a parent or guardian regarding amount, type and scheduling; stores any nourishment brought by a parent or guardian appropriately until meal time; and where more than one infant is cared for, has the formula individually labelled

b) provides for each child more than one year of age a balanced meal at an appropriate meal time consisting of at least: one serving from milk and milk products; one serving from meat and alternates; one serving from bread and cereals; and two servings from fruit and vegetables as outlined in Schedule 1

c) provides foods that promote good dental and nutritional health for children more than one year of age between meals at appropriate times

d) provides for children more than one year of age in attendance for six hours or more food totalling a minimum of half the required daily servings from each food group as shown in Schedule 1

e) follows special dietary or feeding arrangements in accordance with written instructions from the parent(s) or guardian after consultation with the home visitor as in DCS-06.1 above.

DC-08 Behaviour and Guidance

Proposed Standards

DCS-08.1 **Every private-home day care agency shall have a written policy with respect to behaviour management practices permitted or prohibited for its care providers.**

DCS-08.2 **The following forms of discipline shall not be used:**

a) corporal punishment, including but not limited to the following:

i) striking a child, directly or with any physical object
ii) shaking, shoving, spanking or other forms of aggressive contact
iii) requiring or forcing the child to repeat physical movements
iv) physical restraints as a form of punishment

b) harsh, humiliating, belittling or degrading responses of any form, including verbal, emotional and physical.

DCS-08.3 **Every private-home day care agency shall have a written procedure for the monitoring of the behaviour management practices of its providers, and a record of this monitoring shall be made quarterly.**

Commentary

Considerable feedback was received regarding these proposals, and a number of additions have been made in response to respondents' concerns and suggestions. The final standards are renumbered DCS-07.1 through DCS-07.3.

The content changes include: addition to parts (b) and (c) of final standard DCS-07.1 of requirements that there be written policies and procedures with respect to the contravention of behaviour management practices by providers, and that the written policies and procedures surrounding behaviour and guidance be reviewed with providers and private-home day care visitors upon commencement of service and at least annually thereafter; addition of the phrase "forcing food" to part (a) and the clause "that would humiliate a child or undermine a child's self-respect" to part (b) of final standard DCSD-07.2; and new sections (c) and (d) listing other undesirable behaviour management techniques. As a result of these changes, the final standards are consistent with regulations in other areas of children's services.

As with centre care, numerous respondents commented that positive forms of behaviour management practices should also be included. However, the Ministry is primarily concerned with preventing negative disciplinary measures. It is the responsibility of the agency, providers and parents to work together to develop positive disciplinary practices that match the philosophies of those who care for the children.

Proposed standard DCS-08.3 drew the greatest amount of concern in that respondents thought that monitoring through quarterly visits would be difficult and unenforceable, and might have a negative impact on the relationship between provider and home visitor. However, the implementation of behaviour management techniques by the provider is an important aspect of care. The requirement for monitoring has been retained in final standard DCS-07.3, and has been changed only in that a record of the monitoring is to be kept up to date rather than quarterly.

Final Standards

DC-07	**Behaviour and Guidance**
DCS-07.1	The agency shall: a) have a written policy with respect to behaviour management practices permitted and prohibited for its providers

b) have written policies and procedures with respect to contravention of behaviour management practices by providers

c) review the written policies and procedures referred to in (a) and (b) above with all its care providers and private-home day care visitors upon commencement of service and at least annually thereafter.

DCS-07.2 The operator shall not use or permit the use of:

a) corporal punishment, including but not limited to striking a child, directly or with any physical object, shaking, shoving, spanking or other forms of aggressive contact, requiring or forcing the child to repeat physical movements or forcing food on the child

b) harsh, belittling or degrading responses of any form, including verbal, emotional and physical, that would humiliate a child or undermine a child's self-respect

c) denial of usual comforts including shelter, clothing, bedding and food

d) confinement in a lockable room or structure, isolation or physical restraint as a form of punishment.

DCS-07.3 The agency shall have a written procedure for the monitoring of the behaviour management practices of its providers, and a record of this monitoring shall be kept up to date.

DC-09 Content and Maintenance of Children's Records

Proposed Standard

DCS-09.1 The operator of a private-home day care agency shall keep in the office of the private-home day care agency and make available to the respective provider, records maintained up to date and available for inspection at all times that shall include in respect of every child enrolled

a) an application for enrolment signed by the parent or guardian of the child

b) the name, date of birth and current home address of the child

c) the names and current home addresses of the parents or guardian of the child

d) the current place at which a parent or guardian can be reached in case of an emergency during the hours when the child is in the care of the private-home day care provider

e) the name and address of the family physician of the child

f) the date of admission of the child

g) the date of discharge of the child

h) a record of the daily attendance of the child

i) a record of the child's communicable diseases and immunization

j) with respect to medications, a recommendation in writing signed by a licensed physician for any medical treatment or medication for the child which is to be administered during the hours the child is in the supervised private-home day care home

k) with respect to any special requirements for diet, rest or exercise, a recommendation in writing signed by a licensed physician.

Commentary

A number of revisions of this proposed standard were made as a result of the feedback received. Because some of the data required in this standard are confidential, the information is to be kept in a personal file for each child, and the clause "and make available to the respective provider" has been deleted from the final standard. Requirements for telephone numbers for the parents or guardian and the family physician of the child have been added, and "the names of persons to whom the child may be released" has been inserted as part (e). "The child's OHIP number and the surname and initial of the subscriber" have been added to part (g). Part (k) includes "medical conditions requiring special attention, including allergies" and exemption from immunization "for reasons of health or religious belief". Part (l) includes "symptoms indicative of child abuse", to reflect the content of final standard DCS-05.3. Parts (m) and (n) require written instructions signed by "a parent or guardian" rather than a licensed physician, as it is parents' responsibility to determine whether any special provision for medical treatment, diet, rest or exercise will be requested. It was suggested that blanket consent forms for emergency treatment be included. It is expected that the agency will obtain specific consent to emergency treatment, as consent should be informed, and the legal status of blanket consent forms is questionable.

Final Standard

DC-08	**Content and Maintenance of Children's Records**
DCS-08.1	The operator shall keep in the office of the agency a personal file for each child maintained up to date and for at least two years after the discharge of the child that shall include: a) an application for enrolment signed by a parent or guardian b) the name, date of birth and current home address of the child c) the name(s), current home address(es) and telephone number(s) of the parent(s) or guardian of the child d) the current place and telephone number at which a parent, guardian or alternate person(s) can be reached in case of an emergency during the hours when the child is in the care of the agency e) the names of persons to whom the child may be released f) the name, address and telephone number of the child's family physician g) the child's OHIP number and the surname and initial of the subscriber h) the date of admission of the child i) the date of discharge of the child j) a record of the daily attendance of the child k) a record of the child's communicable diseases, medical conditions requiring special attention, including allergies and immunization or a statement of exemption for reasons of health or religious belief l) symptoms indicative of child abuse m) written instructions signed by a parent or guardian for any medical treatment or drug or medication for the child that is to be administered during the hours the child is in private-home day care n) written instructions signed by a parent or guardian with respect to any special requirements for diet, rest or exercise

Proposed Standard

DCS-09.2 **Every private-home day care agency shall maintain records of visits of inspection made to its premises and any of its providers by:**

a) the local medical officer of health or any person designated by him or her

b) the local fire department

c) any person designated as a program adviser under subsection 1 of section 26 of the Day Nurseries Act, 1978.

Commentary

Most of the respondents who commented on this proposed standard supported it as written. One writer questioned how an agency would obtain information about visits of inspection. It is expected that the agency will request that providers report to it any visits of inspection from the officials listed. Administrative costs are not expected to increase as a result of this proposal - a concern expressed by one respondent. Although the format of the final standard has been simplified, the content is unchanged. The final standard is renumbered DCS-08.2.

Final Standard

DCS-08.2 The agency shall maintain records of visits of inspection made to its premises and any of its providers by the local medical officer of health or any person designated by him or her, the local fire department or any person designated as a program adviser under subsection 1 of section 16 of the Day Nurseries Act, R.S.O. 1980, c. 111.

DC-10 Confidentiality

Proposed Standards

DCS-10.1 **The private-home day care agency shall keep personal records of the children confidential and in a locked file.**

DCS-10.2 **No private-home day care agency shall make public, either in writing or verbally, the identity of any person who is eligible for or receives a subsidy.**

Commentary

Proposed standard DCS-10.1 drew concern that the personal records of the children's families, their care providers and agency employees as well as the children's own records should be kept confidential. The final standard, which is renumbered DCS-09.1, has been changed to address this concern by providing that such records are to be released only with the written consent of the responsible adult, except in the case of child abuse, where personal records may be released in accordance with the Child Welfare Act. Several respondents suggested adding that financial records are also to be kept confidential. However, the financial status of the family is an aspect of personal information, and therefore has not been listed separately. As any information with respect to receipt of subsidy is of a personal nature, proposed standard DCS-10.2 is covered under final standard DCS-09.1, and therefore has been deleted.

To allow flexibility in the type of equipment used, final standard DCS-09.1 specifies that the records must be kept in a locked "container" rather than a file.

It was pointed out during consultation that providers, in addition to agency personnel, should keep confidential any information with respect to any child and family served. Final standard DCS-09.2 has been added to reflect this concern.

Final Standards

DC-09	**Confidentiality**
DCS-09.1	The agency shall keep the personal records of each child, the child's family, each provider and employees confidential and in a locked container, to be released only with the written consent of the responsible adult, except in the case of child abuse, where personal records may be released in accordance with the Child Welfare Act, R.S.O. 1980, c. 196.
DCS-09.2	The agency shall ensure that providers keep confidential any information with respect to any child and family served.

Human Resources

The sequence of the human resources topics in this section has been rearranged to achieve a more logical progression in the final standards from questions of workload and group size through qualifications and training and development plans.

DC-14 Group Size

Proposed Standard

DCS-14.1 **The number of private-home day care visitors required by a private-home day care agency to supervise its day care homes shall not exceed the ratio of one private-home day care visitor for every 25 homes.**

Commentary

Comments on this proposal varied, ranging from a preference for one visitor for every 30 homes to a request for one visitor for every 15 homes. Many briefs pointed out that no limit is set on the number of children under the supervision of one visitor in this proposal, and that legally, if five children were placed in each of 25 homes, one visitor could oversee 125 day care children.

There are two reasons for wording the standard in terms of numbers of homes, rather than numbers of children served. First, the home visitor's role is mainly to support the private-home day care provider in her attempt to provide good service to the children in care. This role calls for excellent skills in communicating with adults, as well as a good knowledge of child development. Secondly, the weight of work with any single provider is in the home development phase. Considerable effort is expended before the placement of any child occurs.

The pattern seen as private-home day care has evolved over the last decade is placement of an average of 1.8 children in each home. In fact, few private-home day care agencies in Ontario succeed in placing five children with one provider.

If supervised private-home day care is to be made available through the private sector, undue restriction must be avoided. The ratio of 25 homes for one private-home day care visitor has been used as a guide for some time. It is seen to be a maximum. The final standard has been reworded to clarify that no more than 25 homes are to be supervised by one visitor. Agency policy may dictate supplementary staffing within this standard. The final standard is renumbered DCS-10.1.

Final Standard

DC-10 Group Size

DCS-10.1 The number of private-home day care visitors required by the agency to supervise its day care homes shall not exceed the ratio of 25 homes for each private-home day care visitor.

Proposed Standard

DCS-14.2 **The private-home day care agency shall ensure that the number of children placed in the charge of any day care provider including the children of the provider under the age of six does not exceed five children, and further that a private-home day care provider cares for no more than:**

a) two handicapped children,

b) two children, who are two years of age or younger

c) three children, who are three years of age or younger.

Commentary

This standard, too, provoked much response. Some respondents expressed the view that the provider's skill alone should dictate the number and configuration of children placed in the home: in effect, no regulation. Several pointed out that older, school-aged children can be of great help to a provider. Since many four and five-year-old children are away at school for half the day, some respondents argued that greater numbers should be allowed. A number of briefs asked for further guidance in the placement of handicapped children, suggesting that a single child with a severe handicap could need significantly more care than could be given if others shared the placement. Some respondents asked that the total not exceed seven children under the age of 12, including the provider's.

As noted in the consultation paper, it is important to ensure that the number of young children placed with any one provider is small, and that the provider, acting alone, could evacuate all the children in the event of an emergency. While it is true that the workload differs with school-aged children, there are a significant number of working days in the year when children do not attend school. Thus the final standard is unchanged except for the addition of a phrase and a new part (d) clarifying that the limitations on the size of the groups cared for apply to the provider's own children under the age of six, and that there may not be any combination of any of the groups listed. It is renumbered DCS-10.2.

Final Standard

DCS-10.2 The agency shall ensure that the number of children placed in the charge of any provider including the children of the provider under the age of six does not exceed five children, and further that of that total number a provider cares for:

a) no more than two handicapped children

b) no more than two children who are two years of age or younger

c) no more than three children who are three years of age or younger

d) no combination of (a), (b) and (c).

Proposed Standard

DCS-14.3 **Within the limits set out in DCS-14.2, every private-home day care agency shall establish a maximum capacity for each home in which care is to be provided, and this capacity shall be stated in the agreement with the provider (SEE: OMS-05.3).**

Commentary

Although this proposed standard was generally supported, there was some concern that a contractual maximum capacity would prevent a review and subsequent revision(s) should a provider's circumstances or needs of the individual children in her care change. This provision does not, however, prevent any amendments in the maximum capacity for a home if circumstances warrant a change. The final standard remains unchanged. It is renumbered DCS-10.3.

Final Standard

DCS-10.3 Within the limits set out in DCS-10.2, the agency shall establish a maximum capacity for each home in which care is to be provided, and this capacity shall be stated in the agreement with the provider. (SEE: OMS-05.3.)

Proposed Standard

DCS-14.4 **Children in attendance for private-home day care shall not at any time be left without adult supervision.**

Commentary

Although the intent of this proposal was generally supported, a few respondents thought that the word "approved" should be added before "adult supervision". However, it is implicit in the agreement between the agency and a provider that the provider is responsible for supervising the children in care, and that the provider has been approved by the agency. Thus, the final standard remains unchanged. It is renumbered DCS-10.4.

Final Standard

DCS-10.4 | Children in attendance for private-home day care shall not at any time be left without adult supervision.

DC-12 Qualifications

Proposed Standard

Home Visitors

DCS-12.1 **Every private-home day care agency shall employ for the purpose of support and supervision of its providers, private-home day care visitors who have:**

a) completed a program in early childhood education or who have equivalent competencies, and

b) at least two years' experience in a day nursery(ies) appropriate to the age and developmental level of the children enrolled.

Commentary

This area of standards generated a great deal of controversy. Several respondents expressed strong opinions that while training is essential for private-home day care home visitors, the proposed emphasis on early childhood education training is overly restrictive, given the development of this service in Ontario with other professions in the role of home visitor. A number of those responding could accept a measure of competency equivalent to a diploma in early childhood education. Some briefs supported the requirement for an early childhood education diploma as a minimum level of training for home visitors. One brief asked that the certificate granted by the Association for Early Childhood Education, Ontario, be recognized as the appropriate credential. All expressed agreement with a requirement that home visitors have direct experience with children.

At present, home visitors in Ontario private-home day care agencies are drawn from a number of professions. Often, several different disciplines are represented in an agency, which can provide a breadth of perspective and a strength that would be more difficult to achieve in a more homogeneous staff. The final standard acknowledges that professions other than that in the proposed standard have a contribution to make to this service. Approval of the Director is required as it is for supervisors in group programs, where levels of responsibility are similar.

The issue of equivalent competency was controversial here, as in centre care. Again, the Ministry will not at this time be initiating a system of competency evaluation for the reasons discussed earlier. Reference to equivalent competencies has been deleted from the final standard, which is renumbered DCS-11.1.

Final Standard

DC-11 **Qualifications**

Home Visitors

DCS-11.1 The agency shall employ for the purpose of support and supervision of its providers private-home day care visitors who have:

a) completed an approved post-secondary program in child and family-related studies

b) at least two years' experience appropriate to the ages and developmental levels of the children enrolled, and

c) the written approval of the Director.

Proposed Standard

Care Providers

DCS-12.2 **Every private-home day care agency shall have written policies, and criteria with respect to the recruitment, selection and retention of its supervised care providers.**

Commentary

There was a good degree of support for this proposal as written. One respondent suggested that these written policies be made available to the Ministry. Under final standard OMS-05.1, all agency policies required by the final statement must be made available to the Ministry. Another respondent would require prospective providers to agree to enroll in a six-month community college course to qualify for agency selection. Inclusion of such a provision would undoubtedly prevent expansion of the private-home day care agency network, and there are other kinds of support for providers that could equally improve the quality of care for children.

To eliminate redundancy, the proposal has been combined with proposed standard DCS-11.4 in the final standard that is numbered DCS-13.2 (see page 141).

DC-13 Health of Providers

Proposed Standard

DCS-13.1 **Each person caring for children on the premises in which private-home day care is furnished and every other person ordinarily resident or regularly on the premises shall be examined by a licensed physician and shall obtain from the physician a certificate that he or she is free from communicable diseases, has had immunization deemed adequate by the local medical officer of health including immunization for rubella, and has had a test for tuberculosis that shows negative results. This certificate shall be received by the private-home day care agency before placement of a child occurs and at least every two years thereafter.**

Commentary

This proposal generated controversy. Many respondents thought the provider's good health crucial to the quality of care, and verification only every two years much too long a time span. Others considered the process of certification an invasion of privacy. Some providers did not mind producing such certificates for themselves, but objected to a requirement for the same health certification for other family members, many of whom have little or no contact with the children in care. Clarification of the phrase "every other person ordinarily resident or regularly on the premises" was requested. Cost of medical examination was cited as a reason for deleting this proposed standard altogether. Several respondents asked that rubella immunization be left to the discretion of the medical officer of health.

The final standard requires a medical assessment and immunization of the prospective provider and every other person ordinarily resident or regularly on the premises as required by the local medical officer of health, recognizing that responsibility for health matters rests with the health authority. This would appear to provide as much flexibility as is possible. The final standard is renumbered DCS-12.1.

Final Standard

DC-12	**Health of Providers**
DCS-12.1	Each person caring for children on the premises in which private-home day care is furnished and every other person ordinarily resident or regularly on the premises shall have a health assessment and immunization as required by the local medical officer of health. Verification of this shall be obtained by the agency before placement of a child occurs and thereafter as required by the local medical officer of health.

DC-11 Training and Development Plans

Proposed Standards

	Home Visitors
DCS-11.1	Within six months of the commencement of employment, each home visitor shall have his or her performance evaluated for the purpose of developing a training plan. He or she shall participate in the development of the training plan which shall include but not be limited to: a) a list of the minimum competencies required b) a list of any additional competencies desired c) a list of training activities planned.
DCS-11.2	The training plan shall be recorded and kept in the employee's personnel file.
DCS-11.3	Training plans shall be reviewed annually and the review process described and recorded.

Commentary

In the interest of clarity, these three proposals have been combined as a single final standard numbered DCS-13.1.

Most of the responses to proposed standard DCS-11.1 supported it as it stands. One respondent suggested a more stringent time frame of three months. Another writer suggested that the standard be made a guideline, as it might conflict with union agreements.

The proposal was introduced because it was anticipated that private-home day care home visitors would have differing levels of skills and expertise as well as training in a variety of specialties. The final standard requires that the evaluation be carried out within three months, since this is considered to allow adequate time to plan for formal as well as informal skills development. Union agreements must comply with this standard as with any other.

In the final standard, the term "competencies" has been changed to "skills" to avoid confusion with formal competency ratings, which are not being implemented at this time.

Although response to proposed standard DCS-11.2 was light, it was consistently favourable, and the provision has been retained.

Only one of the responses to proposed standard DCS-11.3 suggested a change. This was to change the time for review to "as the need arises, at least annually". The proposal as written permits a maximum interval between reviews of one year. However, more frequent reviews are possible as needed. The provision therefore is unchanged.

Final Standard

DC-13	**Training and Development Plans** **Home Visitors**
DCS-13.1	The operator shall ensure that: a) Within three months of employment, each home visitor shall have his or her performance evaluated by the agency for the purpose of developing a training plan. The employee shall participate in the development of the training plan, which shall include but not be limited to: i) a list of the minimum skills required ii) a list of any additional skills desired iii) a list of training activities planned. b) The training plan shall be recorded and kept in the home visitor's personnel file. c) The training plan shall be reviewed annually and the review process described and recorded.

Proposed Standard

Care Providers

DCS-11.4 Every private-home day care agency shall have an annual plan and written policies and practices with respect to the training, development and support of its providers, and a written form of this material shall be made available to each provider at the commencement of an agreement (SEE: OMS-05.3) and subsequently on an annual basis.

Commentary

Most of the comments received on this standard expressed support. The others asked that providers be given information when any changes are made that might affect them. The final standard includes this addition. It has been combined with proposed standard DCS-12.2 to eliminate redundancy, and is renumbered DCS-13.2.

Final Standard

Day Care Providers

DCS-13.2 The agency shall have an annual plan and written policies and practices with respect to the recruitment, selection, retention and supervision of its providers, and a written form of this material shall be made available to each provider at the commencement of an agreement (SEE: OMS-05.3) and subsequently on an annual basis, or whenever it is amended.

Proposed Standard

DCS-11.5 The annual plan for caregiver training activities shall include but not be limited to opportunities for the learning of specific competencies in the areas of:

a) nutrition

b) health

c) safety and sanitary practices

d) arrangement and use of space

e) child development

f) methods of guidance and stimulating activities for children.

Commentary

A number of respondents supported this proposal without change. Other sources suggested that additional areas of learning be added, such as:

- o first aid
- o food handling
- o child abuse
- o skills in communicating with adults
- o human rights
- o cross-cultural studies
- o special needs.

While all these topics have merit, and could be of special relevance to any one provider, several may be considered as covered by those cited, e.g., first aid as an aspect of safety, or food handling as an aspect of nutrition. Since the proposed standard is intended to cover a minimum list of subject areas, any agency is free to add those topics most needed by its providers.

Because child welfare legislation makes clear the responsibility of adults to report child abuse, this topic was added to the final standard, which is renumbered DCS-13.3.

Final Standard

DCS-13.3 The agency shall have an annual plan for provider training activities which shall include but not be limited to opportunities to learn specific competencies in the areas of:

a) nutrition

b) health

c) safety and sanitary practices

d) arrangement and use of space

e) child development

f) methods of guidance and stimulating activities for children

g) awareness of child abuse.

Physical Plant

DC-15 Home Selection

Proposed Standards

DCS-15.1 **Every private-home day care agency shall have written home selection policies, practices, and procedures to ensure that any building in which private-home day care is furnished is constructed and maintained so that it complies with**

a) the laws affecting the health of inhabitants of the municipality or the reserve of the band, as the case may be, in which the building is located

b) any rule, regulation, direction or order of the local board of health and any direction or order of the local medical officer of health

c) any by-law of the municipality in which the building is located or any by-law of the council of the band on the reserve in which the building is located, as the case may be, and any other law for the protection of persons from fire hazards

d) any restricted area, standard of housing or building by-law passed by the municipality in which the building is located pursuant to Part III of The Planning Act or any predecessor thereof and, where the building is located on the reserve of a band, any by-law of the council of the band on the reserve to regulate the construction, repair or use of buildings.

DCS-15.2 **The written procedures as outlined in DC-15.1 shall be approved by the appropriate local authorities.**

Commentary

There were requests during consultation that proposed standard DCS-15.1 be deleted on the basis that its provisions would overtax agency employees who already have considerable responsibilities, and would overlap the role of by-law enforcement agencies. However, it is the agency's responsibility to ascertain that no local by-laws are contravened in the operation of the supervised private-home day care service. Concern was also expressed that proposed standard DCS-15.2 was over-regulatory. It was seen as leading to official inspections suitable for centre-based care rather than home care.

This was not the intent of DCS-15.2, which has been deleted from the final standards as redundant because DCS-15.1 makes compliance with local requirements mandatory. DCS-15.1 has been reworded for consistency with final standard PPS-01.1, which deals with the selection of a building for a day nursery. Reference to the local board of health has been deleted, and reference to the Ontario Building Code has been added. The final standard is renumbered DCS-14.1.

Final Standards

DC-14	**Home Selection**
DCS-14.1	The agency shall have written home selection policies, practices and procedures to ensure that any building in which private-home day care is furnished is constructed and maintained so that it complies with: a) the laws affecting the health of inhabitants of the municipality or the reserve of a band, as the case may be, including any rule, regulation, direction or order of the local board of health and any direction of the local medical officer of health b) any by-law of the municipality in which the premises are located or any by-law of the council of the band on the reserve, as the case may be, and any other law for the protection of persons from fire hazards c) any restricted area, standard of housing or building by-law passed by the municipality pursuant to Part III of the Planning Act, R.S.O. 1980, c, 379 or any predecessor thereof and, where the premises is located on the reserve of a band, any by-law of the council of the band on the reserve to regulate the construction, repair or use of buildings d) the requirements of Ontario Regulation 925/75 made under the Building Code Act, R.S.O. 1980, c. 51, where applicable.

Proposed Standard

DCS-15.3 **The premises where private-home day care is to be furnished or is being furnished shall be inspected by a private-home day care visitor on behalf of the agency or Minister as the case may be, before the home is approved and at least every three months thereafter, or at such more frequent intervals as are deemed necessary by the private-home day care agency or Minister, and the private-home day care visitor shall ensure that there is compliance with the requirements prescribed in the regulations for the health, safety and well-being of the children receiving private-home day care. A record of all such visits shall be maintained by the private-home day care agency.**

Commentary

Although there was general support for the intent of this proposal, the majority of respondents argued that an inspection once every three months was not sufficient for ongoing training and supervision. However, this time interval is a minimum requirement, and does not prevent any agency from implementing more frequent home visits. Thus, the final standard remains unchanged except for the reference to the Minister, which has been replaced by the appropriate title, the Director. The phrase "on behalf of the agency or Minister as the case may be" has been deleted as only Ministry staff may inspect on behalf of the Ministry. The final standard is renumbered DCS-14.2.

Final Standard

DCS-14.2 The premises where private-home day care is to be furnished or is being furnished shall be inspected by a private-home day care visitor before the home is approved and at least every three months thereafter, or at such more frequent intervals as are deemed necessary by the private-home day care agency or Director, and the private-home day care visitor shall ensure that there is compliance with the requirements prescribed in the regulations for the health, safety and well-being of the children receiving private home day care. A record of all such visits shall be maintained by the agency.

DC-16 Outdoor Play Areas

Proposed Standards

DCS-16.1 **No child in private-home day care shall play on a balcony without an adult being present, and no child five years of age or less shall play out of doors without adult supervision.**

DCS-16.2 **Where there are balconies, they shall be inspected by the private-home day care visitor to ensure the safety of the children.**

Commentary

Throughout the consultation process, these proposals generated considerable debate with respect to the age at which a child may play outdoors without adult supervision and whether or not balconies should be off limits to all children for safety reasons.

Many respondents pointed out that children four and five years of age walk to school by themselves, and play out of doors supervised from a window. As the amount of supervision needed varies with the maturity of the individual child, the clause "and no child five years . . . supervision" has been deleted from the final standard, which is renumbered DCS-15.1. Final standard DCS-15.2, which states that the parent, provider and home visitor are to agree upon supervision for outdoor play, allows for the flexibility desired by respondents.

Many providers who offer private-home day care live in apartment buildings with balconies. Final standard DCS-14.2, which requires that the home visitor assess any premises to be used for private-home day care, would require a determination of the suitability of a balcony for play. Proposed standard DCS-16.2 has therefore been deleted. The safety of the children is protected with the inclusion of final standards DCS-14.2 and DCS-15.1, which ensure that only approved balconies are used, and an adult is present at all times children are on a balcony.

It was suggested that another standard be added specifying that a fenced outdoor play area be provided for children in private-home day care. Again, the assessment of the home required in DCS-14.2 provides for adequate outdoor play space.

Final Standards

DC-15	**Outdoor Play Areas**
DCS-15.1	No child in private-home day care shall play on a balcony without an adult being present.
DCS-15.2	Supervision of outdoor play shall be agreed upon by the parent, provider and home visitor.

DC-17 Interior

Proposed Standard

DCS-17.1 **The premises where private-home day care is provided shall have separate areas for play, eating and resting.**

Commentary

The feedback on this proposal was primarily of confusion and misinterpretation. The intent of the proposal was to ensure that children are not kept in one room for the entire day and prevented from access to any other part of the home. Since final standard DCS-14.2 requires that the agency determine the appropriateness of the home and the opportunities for activity, such a situation should not occur. This proposal has therefore been deleted.

Proposed Standard

DCS-17.2 **Access to the premises where private-home day care is to be furnished or is being furnished shall be permitted from time to time and at all reasonable times for any person making an inspection pursuant to the foregoing clause and for any person designated as a program adviser under subsection 1 of section 16 of The Day Nurseries Act, 1978.**

Commentary

This proposed standard is contained in subsections 1 and 2 of section 16 of the Day Nurseries Act, and therefore is not needed in the final standards.

DC-16 Interior

Proposed Standard

DCS-17.3 **A temperature between 19° C and 22° C shall be maintained between October 1 and May 31 in the premises where private-home day care is furnished.**

Commentary

Reactions to this proposal varied from the view that this temperature range should be maintained at all times, to the view that a temperature of 20° C should be maintained between October 1 and May 31, to a suggestion that the temperature range stated be changed to between 18° C and 20° C. After careful consideration, a maximum temperature was not indicated in the final standard as this would imply mandatory installation of air conditioning in many homes, possible eliminating service by those providers who cannot afford the equipment or do not wish to have air conditioning in their homes. In addition, there are providers in apartment buildings where there is no direct control over the temperature range in individual units. The final standard has therefore been changed to require a minimum temperature of 20° C. It is renumbered DCS-16.1.

Final Standard

DCS-16.1	A temperature of at least 20° C shall be maintained between October 1 and May 31 in the premises where private-home day care is furnished.

Proposed Standard

DCS-17.4	**A basement that is to be used as a play area for part of the time that a child is receiving private-home day care shall be approved as a safe and healthy place to play by the private-home day care visitor.**

Commentary

The safety concern underlying this proposed standard is addressed by final standard DCS-14.2. The measure is redundant, and has therefore been deleted.

DC-18 Equipment and Furnishings

Proposed Standard

DCS-18.1 **Every private-home day care agency shall have written policies, practices and procedures with respect to the provision of equipment in its supervised day care homes, and the respective responsibilities of the agency and the provider shall be contained in the written agreement between them (SEE: OMS-05.3).**

Commentary

Feedback on this proposal was very limited, but supportive. It remains unchanged in the final standards. It is renumbered DCS-17.1.

DC-17 Equipment and Furnishings

Final Standard

DCS-17.1 The agency shall have written policies, practices and procedures with respect to the provision of equipment in its supervised day care homes, and the respective responsibilities of the agency and the provider shall be contained in the written agreement between them. (SEE: OMS-05.3.)

Proposed Standard

DCS-18.2 **Every private-home day care agency shall ensure that the equipment and furnishings in a home where private-home day care is provided shall include:**

a) a quantity of indoor and outdoor play material and equipment in proportion to the number of children enrolled and of a type suitable for the ages of the children enrolled

b) a crib, with sides or a playpen for each child under the age of eighteen months enrolled

c) a cot or bed of a family member for each child over the age of eighteen months of age enrolled

d) washable blanket and sheet for each child enrolled.

Commentary

Responses during consultation have led to two changes in this proposal. Part (b) of the final standard includes the additional requirement that the furnishings listed meet the regulations of the Hazardous Products Act (Canada). Part (c) of the final standard includes the addition of "a crib", as several respondents were concerned that not all children over the age of 18 months are mature enough to sleep in a cot or bed. The final standard is renumbered DCS-17.2.

Final Standard

DCS-17.2 The agency shall ensure that the equipment and furnishings in a home where private-home day care is provided shall include:

a) a quantity of indoor and outdoor play material and equipment in proportion to the number of children enrolled and of a type suitable for the children enrolled

b) a crib, with sides, or a playpen for each child under the age of 18 months enrolled that meets the regulations of the Hazardous Products Act (Canada)

c) a crib, cot or bed of a family member for each child over the age of 18 months of age enrolled

d) a washable blanket and sheet for each child enrolled.

Proposed Standard

DCS-18.3 The agency shall ensure that all chemicals, disinfectants and other poisonous or hazardous substances used in a home where private-home day care is provided shall be stored in a locked cabinet or cupboard.

Commentary

There was general support for the intent of this standard. However, it was pointed out during consultation that many providers in rented premises are not permitted to install locks. There was also comment to the effect that many hazardous substances are used daily, for example, cleaning products, and it would be very inconvenient to keep them in locked storage. After careful review of the comments, it was agreed that the items referred to in this proposal should be stored in a place that is inaccessible to children. The final standard, renumbered DCS-17.3, is worded accordingly. One respondent raised the issue of safety precautions with respect to firearms. The addition of final standard DCS-17.4 addresses this concern.

Final Standards

DCS-17.3	The agency shall ensure that all chemicals, disinfectants and other poisonous or hazardous substances used in a home where private-home day care is provided shall be inaccessible to children.
DCS-17.4	The agency shall have a written policy with respect to firearms in the homes of its providers.

Proposed Standard

DCS-18.4	**In the selection of homes, the agency shall ensure that every private-home day care home have a telephone except where telephone service is not available in the community.**

Commentary

This proposal was generally supported by the few respondents who offered feedback on it. One respondent asked that the proposal be modified to incorporate a requirement that an alternative plan for emergency contact be arranged where telephone service is not available. Although this practice is to be encouraged, to require it was thought to be over-regulatory. Part (a) of final standard DCS-18.3 ensures that the provider has a means of transportation to the source of emergency care. The final standard remains unchanged, except that it is renumbered DCS-17.5.

Final Standard

DCS-17.5 In the selection of homes, the agency shall ensure that every private-home day care home has a telephone except where telephone service is not available in the community.

DC-19 Fire Safety and Emergency Information

Proposed Standards

DCS-19.1 In cooperation with the local fire authorities, the private-home day care agency shall develop a written fire evacuation plan to be carried out in its homes and before placement of a child, a home-specific procedure including the duties of the caregiver shall be established for each home by the home visitor and the provider.

DCS-19.2 In every private day care home, telephone numbers of the fire department, nearest hospital, ambulance, poison control centre and police department shall be attached to or immediately adjacent to each telephone.

DCS-19.3 Emergency contact information, updated every six months, shall be easily accessible at all times that children are in a home where private-home day care is being provided and shall include:

a) means of transportation to the source of emergency care

b) name, address, and telephone number of each child's physician

c) home and work addresses and telephone numbers of each child's parent(s)

d) any special medical information provided by the child's parent(s) or physician

e) any additional information on special needs of the child, as specified by the child's parent(s) or physician, that might be helpful in handling an emergency situation.

Commentary

On the whole, these proposals were well received. However, several changes have been made to reflect comments during consultation. The final standards are renumbered DCS-19.1 through DCS-19.3.

The telephone numbers of the agency and home visitors have been added to the list of telephone numbers that are to be adjacent to the telephone in final standard DCS-18.2.

The emergency contact information in final standard DCS-18.3 is to be maintained up to date rather than updated every six months, to ensure that the health and safety of the children and provider are not jeopardized by out-of-date information. To further protect the child in an emergency, the child's OHIP number and the surname and initial of the subscriber have been added to part (b) of the final standard, and the home and work address and telephone number of an emergency contact person if a parent or guardian cannot be reached have been added to part (c). In addition, parts (d) and (e) have been combined to eliminate redundancy.

DC-18 Fire Safety and Emergency Information

Final Standards

DCS-18.1 In cooperation with the local fire authorities, the agency shall develop a written fire evacuation plan to be carried out in its homes, and before placement of a child, a home-specific procedure including the duties of the provider shall be established for each home by the home visitor and the provider.

DCS-18.2 The agency shall ensure that in every provider's home, the telephone numbers of the following are attached to or immediately adjacent to each telephone:

a) the fire department

b) the nearest hospital

c) the nearest ambulance service

d) the nearest poison control centre

e) the police department

f) the private-home day care agency and the home visitor.

DCS-18.3 Emergency contact information, maintained up to date, shall be easily accessible at all times that children are in a home where private-home day care is being provided, and shall include:

a) means of transportation to the source of emergency care

b) the name, address and telephone number of each child's family physician, the child's OHIP number and the surname and initial of the subscriber

c) home and work addresses and telephone numbers of each child's parent(s) or guardian and emergency contact person(s) if a parent or guardian cannot be reached

d) any special medical information provided by the child's parent(s) or guardian or physician, or additional information that might be helpful in handling an emergency situation.

10. DAY NURSERIES SERVICES FOR CHILDREN WITH SPECIAL NEEDS

The section of the consultation paper on children with special needs made proposals for additions to current regulations. Although they were generally well received, there were a few issues that drew intense expressions of opinion from people in the field.

The chapter title "Day Nurseries Services for Children With Special Needs" generated considerable debate. It became quite apparent that there is no ultimate definition of or official consensus as to what constitutes a child with special needs. Children may have a range of special needs, the presence of which may not necessitate an intense individualized treatment/training program. A variety of approaches may be implemented to assist these "special needs" children and their families. However, the children specifically referred to in the proposed standards are those whose program reflects a diagnosed physical and/or developmental handicap that is likely to persist over time. Diagnosis identifies the needs on which an individual program plan is based. These children receive funding for special programming from the provincial government. Since the standards address only funded programs for children diagnosed as physically and developmentally handicapped, they have been given the more appropriate title "Standards for Handicapped Children in Designated Funded Programs".

The stated policy of the Ministry is that day nurseries programs and facilities provided for developmentally or physically handicapped children should be as close as possible to similar programs for normal children living in the same community. "The handicapped child's lifestyle must include those normal developmental experiences[1] enjoyed by his non-handicapped peers". Since the centres for handicapped children place great emphasis on "normalization", the basic requirement for staff is a diploma in early childhood education or the equivalent, signifying a basic understanding of expectation for normal development. In addition, these program staff members are expected to develop skills in individualized programming methods if they do not already have these techniques when beginning employment. The required training plans are designed to assist employee and employer to meet high standards of programming for handicapped children.

Resource teachers, hired to work in integrated centres, with private-home day care providers, in in-home programs and with parents of handicapped children, must have specialized training appropriate to their work.

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1. National Institute on Mental Retardation. Orientation Manual on Mental Retardation. Toronto: 1972, p.20.

The proposal that delineated specific time periods during which a handicapped child is to receive individual teaching drew much attention. Almost every respondent who commented on this aspect of individual training plans objected to regulated time frames on the premise that this practice is in conflict with individualized programming, the purpose of which is to accommodate the needs of each child. Flexibility in the schedule allows program staff to develop and tailor all aspects of individual training plans to enhance the progress of the individual child. Therefore, the reference to individualized teaching times has been deleted from the final standards. The references to "training plans" have been changed to read "training/treatment plans" as this is a more accurate description of the programming involved.

Much confusion and misinterpretation resulted from the proposal specifying that prior consent forms for release of personal information are not to be a condition of enrolment for any handicapped child. A review of the proposal and accompanying comments clearly indicated that rewording was necessary to clarify the intent of the standard. The result has been the development of a more comprehensible standard.

It should also be noted that with the passing of special education legislation amending the Education Act, 1974 (Bill 82), it is expected that all school-aged children will be accommodated in the public school system. The responsibility for handicapped children in the six to 18-year age range will be transferred from this Ministry to the Ministry of Education by 1985. As a result, two proposed standards have been deleted as well as any references to this age group.

The Standards for Handicapped Children in Designated Funded Programs

Because the standards in this section are addressed specifically to designated funded programs for handicapped children, the letters "SN", which stood for "special needs", have been changed to "FP", for "funded programs".

SN-01 Individual Program Plan

Proposed Standards

SNS-01.1 A written individual program plan and a written individual training plan with provision for monthly updating shall be developed for each handicapped child enrolled in:

a) a group program in a nursery for the developmentally or physically handicapped, a developmental centre or an integrated centre

b) a complementary in-home program or alternative in-home program operated by a day nursery.

c) a private-home day care program where this is the only developmental program that the child attends during the day.

SNS-01.3 Copies of the child's individual program and training plans shall be kept in the child's program record together with subsequent revisions of the plans.

Commentary

Two respondents questioned the nature of an individual training plan and an individual program plan. One writer thought that an individual training plan with sequential, time-dated measurable goals would "deny the more mentally alert child the freedom of choice, exploration and independence". This process should in fact enhance a child's learning and development. The other respondent proposed that the Ministry standardize a basic individual program plan to eliminate differences from one agency to another. To allow maximum flexibility in meeting the needs of individual children, the specific format of individual training and program plans will not be regulated. The final version of standard SNS-01.1, which is renumbered FPS-01.1, clarifies that the individual program and training plans should be developed within 30 days after a handicapped child is enrolled in the program. The word "supervised" has been added to part (c) since handicapped children utilizing private-home day care are funded only if they are enrolled in a supervised private-home day care program.

Proposed standard SNS-01.3 has been revised to require that the plans be "kept in the child's personal file", to reflect the changes in the final standard dealing with children's records, FPS-03.1. An additional provision requiring that revisions of the plans be reviewed with parents acknowledges the desirability of significant parental involvement in the child development program the child receives. Parents or designated substitutes should be involved in the planning of the child's individual program plan and individual training plans, and work in partnership with the child's teacher so that skills and behaviours learned in a centre are regularly reinforced at home. The final standard is renumbered FPS-01.2.

Final Standards

FP-01	**Individual Program Plan**
FPS-01.1	A written individual program plan and written individual training/treatment plans with provision for monthly updating shall be developed within 30 days for each handicapped child enrolled in: a) a designated funded centre b) a complementary in-home program or alternative in-home program operated by a day nursery c) a supervised private-home day care program where this is the only developmental program that the child attends during the day.
FPS-01.2	The child's individual program and training/treatment plans shall be reviewed with the child's parent(s) following each revision, and copies of the plans and revisions shall be kept in the child's personal file.

Proposed Standards

SNS-01.2	**The goals of the indivdual program plan for a developmentally handicapped child aged six or older shall include development of the child's behaviours to the level acceptable for admittance to the local school.**
SNS-06.2	**A nursery for the developmentally handicapped shall physically separate children under ten years of age from those ten to eighteen years of age.**

Commentary

As a result of the implementation of the special education legislation, it is anticipated that the developmental programs for school-aged children within the jurisdiction of the Ministry of Community and Social Services will be discontinued as of 1985. Consequently, these proposed standards will not be applicable to day nurseries, and have been deleted.

SN-02 **Daily Schedule**

Proposed Standards

SNS-02.1 **The daily schedule in an integrated day nursery, a nursery for the developmentally or physically handicapped or developmental centre shall ensure that:**

a) **Each handicapped child has teaching according to an individual training plan prescribed for that child; five days per week, for a minimum of two hours per day of individual teaching in the case of a half-day program and four hours per day of individual teaching in the case of a full-day program; deviations from the written plan shall be documented in the child's program record.**

b) **The requirements in PS-02.2, PS-02.3 and PS-02.4 of a day nursery are fulfilled.**

c) **Activities appropriate to the developmental levels of all children are included.**

SNS-02.2 **Where a handicapped child is placed in private-home day care, the private-home day care agency shall ensure that:**

a) **The child has teaching according to an individual training plan prescribed for that child, deviations from the written plan shall be documented in the child's program record.**

b) **The requirements of DCS-02.1 and DCS-02.2 of a private-home day care agency program are fulfilled.**

c) **Activities appropriate to the developmental levels of all children enrolled are undertaken.**

Commentary

Almost all respondents who commented on these proposals objected to the time limits imposed in part (a) of proposed standard SNS-02.1 as likely to interfere with planning for the needs of the child. Therefore, references to specific individualized teaching time have been deleted to provide for flexibility in programming. Discussion during the consultation process revealed that handicapped children who are limited in their abilities are often given materials and equipment for younger children, which can negatively affect their self-esteem and their dignity in the eyes of others. Age-appropriate activities geared to their abilities help maintain their

self-esteem while promoting development in other areas. Part (c) of each of these proposed standards, renumbered FPS-02.1 and FPS-02.2, has been revised to reflect this concern. Reference to the developmental levels of the children has been deleted from final standard FPS-02.1, as this is required of day nurseries under final standard PS-02.2. The reference to PS-02.4, which deals with rest and outdoor play for children in full-day programs has been deleted, as it is inappropriate.

Final Standards

FP-02	**Daily Schedule**
FPS-02.1	The daily schedule for a designated funded centre shall be written to ensure that: a) Each handicapped child has teaching according to a written individual training/treatment plan prescribed for that child for each day of attendance. b) The requirements in PS-02.2 and PS-02.3 of a day nursery are fulfilled. c) Age-appropriate activities are included. d) The training/treatment and any deviation from the plan are recorded daily and a copy retained in the child's personal file.
FPS-02.2	Where a handicapped child is placed in supervised private-home day care, the private-home day care agency shall ensure that: a) The child has teaching according to a written individual training/treatment plan prescribed for that child. b) The requirements in DCS-02.1 and DCS-02.2 of a private-home day care agency program are fulfilled. c) Age-appropriate activities suited to the developmental level of the child are included. d) The training/treatment and any deviation from the written plan are recorded daily, and a copy is retained in the child's personal file.

Proposed Standard

SNS-02.3 **If a handicapped child enrolled in a day nurseries program or placed in private home day care is absent due to illness, the program staff responsible for the child's individual training plan shall maintain personal contact with the child's parents or designated substitute at least once a week, and keep a log of the date and nature of each contact.**

Commentary

Although this proposal addresses a desirable practice, feedback from Ministry personnel strongly indicated that it would place unreasonable demands on private-home day care agency staff. Therefore, it has been deleted from the final standards.

SN-03 Content of Children's Records

Proposed Standard

SNS-03.1 **The operator of a day nursery shall keep on the premises of the day nursery and the operator of a private home day care agency shall keep on the premises of the agency records maintained up to date and available for inspection at all times that shall include in respect to every handicapped child enrolled, in addition to the contents specified in PS-08.1, DCS-09.1 and SN-01.3:**

a) a letter of referral and within four months of admission a summary of a team assessment

b) signed permission forms for participation in specialized services, where required

c) a record of all home visits, where applicable

d) copies of all rejected applications for regular school enrolment, where applicable, and a record of the reasons for each referral.

Commentary

This proposed standard did not receive extensive feedback. Concern was raised that in many instances, a team assessment cannot be conducted within four months of admission. In response to this, part (a) of the final standard has been revised to include the phrase "or a notation on the child's file showing the planned assessment date" to indicate that an appointment for an assessment has been arranged for a child who waits more than four months.

Several respondents commented that visits of parents or others to the program should be included in the records. However, parents are encouraged to participate in many day nurseries program on a regular basis, and this requirement would be over-regulatory.

Part (d) has been deleted, as the special education legislation ensures that no school-aged child will be rejected by the public education system. The final standard is renumbered FPS-03.1.

FP-03 Content of Children's Records

Final Standard

FPS-03.1 The operator of a day nursery shall keep on the premises of the day nursery and the operator of a private-home day care agency shall keep on the premises of the agency a personal file maintained up to date that shall include in respect of every handicapped child enrolled, in addition to the contents specified in PS-06.1 or DCS-08.1, whichever is applicable, and FPS-01.2:

a) a letter of referral and within four months of admission a summary of a team assessment or a notation on the child's file showing the planned assessment date

b) signed permission forms for participation in specialized services, where required

c) a record of all home visits, where applicable.

SN-04 Confidentiality

Proposed Standard

SNS-04.1 **The operator of a day nursery or a private-home day care agency shall not require initial consent from a handicapped child's parent(s) or guardian to release of personal information concerning the child or child's parent(s) or guardian as a condition for enrolment.**

Commentary

The feedback on this proposal showed that rewording was necessary to clarify that the intent was to prohibit the requiring of prior consent to release of personal information before a handicapped child is enrolled in a program. The final standard has been amended accordingly. It is renumbered FPS-04.1.

Final Standard

FP-04 Confidentiality

FPS-04.1 Prior consent to release of personal information concerning any handicapped child and family shall not be required from the child's parent(s) or guardian as a condition for enrolment in any program licensed under the Day Nurseries Act, R.S.O. 1980, c. 111.

Proposed Standard

SNS-04.2 **The operator of a day nursery or a private-home day care agency shall ensure that no records or personal information of any kind, verbal or written, of any handicapped child enrolled or the child's parent(s) or guardian, is disclosed to any person other than program staff unless a signed, current consent to release of information is obtained from the child's parent(s) or guardian.**

Commentary

This proposed standard is covered under final standards PS-07.1, DCS-09.1 and DCS-09.2, which require the confidentiality of the records in a day nursery and a private-home day care agency and information known to providers. It has therefore been deleted from the final standards.

SN-05 Staff Qualifications

Proposed Standard

SNS-05.1 **The operator of an integrated centre, a nursery for the developmentally or physically handicapped or a developmental centre shall employ for the care and guidance of each group of handicapped children, as defined in Schedule 1 (b), at least two program staff who have completed a program in early childhood education or have equivalent competencies, and whose training is appropriate to the age and developmental level of the children enrolled.**

Commentary

This proposed standard had a mixed response, about half of the briefs giving support to the proposal as written, and the rest expressing the view that an early childhood education diploma is inadequate preparation for work with handicapped children.

The final standard, which is renumbered FPS-05.1, has been reworded to apply solely to designated funded centres.

Since it is important that staff working with handicapped children thoroughly understand normal patterns of behaviour and development, the basic training requirement is the same as in centres for normal children. The final standard reflects this philosophy. Final standards FPS-05.2 and FPS-05.3 speak to special skills for work with handicapped children. As specialists become available in increasing numbers, a more stringent entry level standard could be considered. As with other standards covering required qualifications, reference to measures of competency has been deleted.

Final Standard

FP-05	**Staff Qualifications**
FP-05.1	The operator of a designated funded centre shall employ for the care and guidance of each group of handicapped children, as defined in Schedule 2(b), at least two program staff who have completed an approved program in early childhood education or the equivalent including specific child and family-related studies and supervised practice, and whose training is appropriate to the ages and developmental levels of the children enrolled, or who have the written approval of the Director.

Proposed Standards

SNS-05.2	The operator of an integrated centre shall employ for the guidance of every four developmentally or physically handicapped pre-school children a resource teacher who has completed a program in early childhood education or has equivalent competencies, has a minimum of one year of special training in teaching handicapped children, and, if working with multi-handicapped children has a current Red Cross or St. John Ambulance certificate in first aid.
SNS-05.3	The operator of a private-home day care agency providing an in-home service shall employ for the guidance of every four handicapped children placed in its homes, as a home visitor, a resource teacher who has completed a program in early childhood education or has equivalent competencies, has a minimum of one year of special training in teaching handicapped children, and, if working with multi-handicapped children has a current Red Cross or St. John Ambulance certificate in first aid.
SNS-05.4	An in-home service provided by a day nursery or a private-home day care agency shall be carried out by a resource teacher with special training in teaching handicapped children.

Commentary

There was some support for proposed standard SNS-05.2 as written. Some comments addressed the specialized training required. One respondent would prefer a reference to staff having completed courses on special needs as part of an early childhood education program, based on the view that the emphasis should be on "normalization" of the child. One respondent would

change "current" to "valid - i.e. not more than three years old", and commented further that this requirement is unrealistic, as there are not enough staff to meet it. Several people commented that a specified number of years' work with handicapped children would prepare program staff as well as one year of formal training.

Some respondents commented about the ratio aspect of the proposed standard, asking that more flexibility be built into the numbers. One commented that the staff/child ratio should be determined by the developmental, not the chronological, ages of the children. Another respondent interpreted the proposal to prevent resource teachers being hired where fewer than four handicapped children are enrolled, and suggested that the standard be reworded to require "one half-time resource teacher for each two developmentally or physically handicapped preschool children".

Comment on proposed standard SNS-05.3 was split. About half the respondents supported the proposal as it stands.

One respondent would change the proposal slightly by relieving the agency of the requirement to "employ" a resource teacher if one is otherwise available. If the agency, for example, had a purchase-of-service agreement with a municipality that could supply a resource teacher, it would not itself employ a person. The word "employ" has been retained, as the agency that directs the "employment" of the resource teacher in its home could be said to be the teacher's employer, regardless of the source of the teacher's salary.

One respondent asked that courses on children with "special needs" be specifically designated as requirements for equivalency to an early childhood education diploma.

Another respondent raised the issue of workload for private-home day care agency home visitors, saying that additional responsibilities for program planning for handicapped children would impose an unrealistic burden.

Comments on proposed standard SNS-05.4 were entirely supportive.

It seems logical that the visitor who plans programs and assists with the physical environment for the handicapped child, and who works with the private-home day care provider should be the resource teacher. The three proposed standards have therefore been combined in a single final standard numbered FPS-05.2.

The equivalency to an early childhood education diploma required in the final standard is for basic knowledge and experience of normal children. This is an important base from which to expand specialized training for work with handicapped children, as it allows the student to understand what constitutes normal behaviour, and to guide the handicapped child in that direction. This equivalency has been redefined as in other final standards, as has the level of specialized training expected.

The final standard calls for specialized training beyond an early childhood education diploma or its equivalent, because such training contributes to effective planning of the program for the handicapped child in relation to the program for normal children and assists in supporting parents in home programming. To allow flexibility in special circumstances, provision is made for exceptions with Ministry approval.

The final standard requires one visitor for every four children, and in some cases the visitor may deal only with two providers, each of whom takes two children. The Ministry believes this to be a reasonable workload.

The chronological age of the child is used in ratio determination, as children of compulsory school age will be under the jurisdiction of boards of education. The ratio of one resource teacher for every four designated handicapped children is not intended in any way to limit integration of centres enrolling fewer than four such children.

Final Standard

FPS-05.2 The operator of a designated integrated centre or a private-home day care agency or a day nursery providing in-home service shall employ for the guidance of every four developmentally or physically handicapped children a resource teacher who has:

a) completed a program in early childhood education or the equivalent in specific child and family-related studies and supervised practice

b) completed an approved post-secondary program of studies specific to the needs of handicapped children including a theoretical component and supervised practice

c) if working with multi-handicapped children, a current Red Cross or St. John Ambulance certificate in first aid

or has the written approval of the Director.

Proposed Standard

SNS-05.5 The operator of a nursery for the developmentally or physically handicapped or a developmental centre shall employ a director/supervisor who has completed a program in early childhood education or has equivalent competencies, has a minimum of one year of special training in teaching handicapped children, has a minimum of two year's experience in a supervisory position in a program for either normal or handicapped children.

Commentary

This proposal was largely supported as written. One respondent asked for clarification of requirements for supervisors in integrated centres. Extra qualifications are not required of them, as a resource teacher will do specific programming with the handicapped children, who should experience a normal program for the remainder of the day.

One group commented that the director in many programs plays a largely administrative role without direct contact with the children. The intent of the standard was that supervisors be trained, whether their official title is supervisor or director. The title of director has therefore been deleted from the final standard.

The equivalent to an early childhood education diploma in the final standard has been revised and reference to recommendation by a program adviser has been added as in other standards. The final standard is renumbered FPS-05.3.

Final Standard

FPS-05.3 The operator of a designated funded centre shall employ a supervisor who has:

a) completed a program in early childhood education or the equivalent including specific child and family-related studies and supervised practice, and a minimum of two years' experience in a program for either normal or handicapped children, or who otherwise has been recommended by the program adviser, and

b) the written approval of the Director.

Proposed Standard

SNS-05.6 **The operator of a day nursery shall ensure that persons who work with handicapped children and lack full qualifications of program staff as defined in SNS-05.1, experience a minimum of three months' probation and training in the program before appointment to the staff, have demonstrated sufficient understanding of handicapped children to write, implement and chart individual training plans on the specific children assigned to them under supervision, and have made a commitment to work towards an early childhood education diploma or equivalent in the immediate future.**

Commentary

The intent of this proposal, that all staff have training, appeared to have been recognized by all those who responded. About half the comments supported the proposal without change. Some respondents expressed the view that all staff hired should have at least an early childhood education diploma. Another asked that a "commitment to work towards an early childhood education diploma" be changed to "enrolled in an early childhood education diploma program or the equivalent". One respondent would replace this same clause with "the necessary specialized training in teaching handicapped children".

The proposal has been dropped in favour of a new standard numbered FPS-05.4, which calls for the development of a training plan for every employee. The new standard was added to allow employers and employees to agree on mutual expectations regarding levels of skills required and the means to acquire such skills, within an identified time frame.

Final Standard

FPS-05.4 The operator of a designated funded centre shall ensure that:

a) Within three months of employment, every employee shall have his or her performance evaluated by the supervisor for the purpose of developing a training plan. The employee shall participate in the development of the training plan, which shall include but not be limited to:

i) a list of minimum skills required
ii a list of any additional skills desired
iii) a list of training activities planned.

b) The training plan shall be recorded and kept in the employee's personnel file.

c) The training plan shall be reviewed annually and the review process described and recorded.

SN-06 Building Interior

Proposed Standard

SNS-06.1 The location of all rooms in a day nursery for the use of handicapped children shall be on or below the second storey.

Commentary

Several respondents to this proposal commented that programs for handicapped children should be on the ground floor unless there are ramps or elevators on the second storey. It should be noted that the standard applies to centres serving handicapped children in general, and is not specific to the physically handicapped. Where a program serves physically handicapped children, the building plan approval required in final standard PPS-01.2 for any premises used as a day nursery ensures that the proper facilities will be provided for non-ambulatory children. The qualification "unless otherwise approved by the Director" has been added to provide for flexibility in exceptional circumstances. The final standard is renumbered FPS-06.1.

Final Standard

FP-06 Building Interior

FPS-06.1 The location of all rooms in a day nursery for the use of handicapped children shall be on or below the second storey, unless otherwise approved in writing by the Director.

Proposed Standard

SNS-06.2 A nursery for the developmentally handicapped shall physically separate children under ten years of age from those ten to eighteen years of age.

Commentary

This proposal has been deleted from the final standards as children in this age range will cease to be served in day nurseries programs under the special education legislation.

Proposed Standard

SNS-06.3 **The wall-to-wall activity room floor space of a day nursery for the physically or developmentally handicapped, shall be divided into two separate rooms where more than 12 children are enrolled, with an additional room being provided for every additional 12 children.**

Commentary

The response to this proposed standard was minimal. Two writers wanted the number of children to be changed to ten or eight. However, the amount of square metrage required for ten or eight children by final standard FPS-06.3 would not provide a play space large enough to facilitate more active play. The size of a room planned for 12 children would allow for more flexibility in the programming, and this number has therefore been retained. The phrase "wall-to-wall" has been deleted for clarity. The final standard is renumbered FPS-06.2.

Final Standard

FPS-06.2 The play activity space of a day nursery for the physically or developmentally handicapped shall be divided into two separate rooms where more than 12 children are enrolled, and an additional room shall be provided for every 12 additional children.

Proposed Standard

SNS-06.4 **The activity room space of a day nursery for the handicapped shall be provided as follows:**

a) in the case of a nursery for physically or developmentally handicapped children under six years of age, a minimum of five square metres of floor space measured wall to wall for every child enrolled

b) in the case of a developmental centre, a minimum of seven square metres of floor space measured wall to wall for each child enrolled.

Commentary

Response to this proposed standard was minimal but supportive. It was asked that spatial requirements be given for children six through 18 years of age. However, with the introduction of the special education legislation, children in this age range will no longer be served in day nurseries programs. In the final standard, requirements are stated in terms of licensed capacity rather than enrolment. The final standard is renumbered FPS-06.3.

Final Standard

FPS-06.3 The play activity space of a day nursery for the physically or developmentally handicapped shall provide a minimum of five square metres of unobstructed floor space for each child in accordance with licensed capacity.

Proposed Standard

SNS-06.5 **A room or area of an integrated centre shall be designated as a resource area for the use of the resource teacher and other program staff for individual and small group training and writing and/or charting of individual training plans.**

Commentary

The response to this proposed standard was minimal but generally suportive. It has been revised to clarify that a centre must be designated as integrated for funding purposes by the Ministry, and that the resource area is for use under the direction of the resource teacher. The only change requested was that the word "training" be replaced by "activity". However, "training" has been retained as it refers to specific Ministry-funded therapeutic training programs for handicapped children. The final standard is renumbered FPS-06.4.

Final Standard

FPS-06.4 A room or area of a designated integrated centre shall be indicated as a resource area for use for individual and small group training as directed by the resource teacher.

SN-07 Equipment and Furnishings

Proposed Standard

SNS-07.1 The equipment and furnishings of an integrated centre shall be of the same standard as in a day nursery for normal children of the same age group.

SNS-07.2 The equipment and furnishing of a nursery for the developmentally or physically handicapped or a developmental centre shall be of the same standard as in a day nursery for normal children except that these shall include:

a) a table or counter space for changing or dressing, one child at a time, for every twelve children who might be in need of these hygienic services

b) at least two wash basins and two flush toilets for each group of twelve children enrolled;

c) at least two wash basins and two flush toilets for each additional group of twelve children enrolled

d) a resting pad for each child enrolled for a full-day sesstion

e) a washroom of sufficient size to accommodate children in wheelchairs, if required.

Commentary

The requirements in these proposed standards are covered under final standard PPS-04.1, PPS-04.2, and PPS-04.4 through PPS-04.6, and the proposals therefore have been deleted from the final standards. The building plan approval required in final standard PPS-01.2 for any premises used as a day nursery ensures that there will be adequate provision for washrooms with doorways of sufficient size for a program serving children in wheelchairs.

APPENDIX A

SCHEDULED CONSULTATION MEETINGS 1980

Date	Community	Attendance
April 17	Toronto	250
May 9	Huntsville	75
May 24	Kingston	40
May 25	Geneva Park	50
June 10	Ottawa (first session) Ottawa (second session)	25 75
June 11	Peterborough	60
June 16	Windsor	70
June 19	Hamilton (first session) Hamilton (second session)	250 40
June 23	Oshawa	35
July 4	Toronto	12
July 8	Halton	20
August 19	Sault Ste. Marie	50
August 23	Sudbury	65
August 28	Thunder Bay	20
September 8	Oshawa	35
September 10	London	60
September 13	Huntsville	20
September 16	Timmins	30
September 25	Toronto	15

APPENDIX B

INDIVIDUALS AND GROUPS WHO RESPONDED TO THE CONSULTATION PAPER IN WRITING

1. Association for Early Childhood Education, Ontario (A.E.C.E.,O.), Belleville & District Branch, Belleville
2. A.E.C.E.,O., Chatham Branch, Chatham
3. A.E.C.E.,O., Hamilton Branch, Hamilton
4. A.E.C.E.,O., London Branch, London
5. A.E.C.E.,O., Ontario Branch, Toronto
6. A.E.C.E.,O., Sudbury Branch, Sudbury
7. A.E.C.E.,O., York Branch, Aurora
8. Association of Counties & Regions of Ontario, Toronto
9. Association of Independent Day Care Operators, Toronto
10. Andrew Fleck Child Centre, Ottawa
11. Atkins, P., Brantford
12. Baker, Jackie, Meaford
13. Bayshore Day Care, Nepean
14. Biemiller, A., Toronto
15. Bond, Ardythe, Welland
16. Borough of Etobicoke, Nursing Division, Etobicoke
17. Boyle, Jean, Kitchener
18. Brant's Children's Centre, Burlington
19. Canadore College, North Bay
20. Capital City Day Care Centre, Inc., Ottawa
21. Century School Age Program, Nepean
22. Children's Care & Education Committee, Windsor
23. Children's Services Committee of York Region, Planning Sub-Committee, Newmarket

24. The Children's Services Division Staff, Social Service Department, Brampton
25. City of Cornwall, Children's Services, Cornwall
26. City of North York, Department of Public Health, Willowdale, Ontario
27. City of Thunder Bay, Social Services Department, Thunder Bay
28. Ministry of Community and Social Services (COMSOC), Capital & Administration Services Branch, Toronto
29. COMSOC, Consultants, Home Economics Program Policy, Adult Services, Toronto
30. COMSOC, London Area Office, London
31. COMSOC, Peterborough Area Office, Peterborough
32. COMSOC, Southwest Area, Hamilton
33. COMSOC, Toronto & Barrie Area
34. Concerned Early Childhood Educators of Sarnia, Sarnia
35. Crescent Nursery School, Oakville
36. Davis, Barbara, Ancaster, Ontario
37. Davison, Phyllis A., Sudbury
38. Early Childhood Learning Centre, Windsor
39. Family Day Care Services, Ottawa
40. Family Day Care Services, Toronto
41. Five Countries Children's Centre, Peterborough
42. Forrest, Mary Lynn, Kitchener
43. George Brown College of Applied Arts & Technology, Toronto
44. Georgian College of Applied Arts & Technology, Barrie
45. Grace, Barbara, Kitchener
46. Grey-Owen Sound Social & Family Services, Barrie
47. Haines, Carmel, Cambridge - Preston

48. Hastings-Prince Edward Children's Services Committee, Belleville
49. Homes for the Aged and Junior Day Care Centres, Pioneer Manor, Sudbury
50. Jodoin, Lucille, Nepean
51. Kellar, Phyllis, Fort Frances
52. Kyle, Irene & Edwards, Renee, Toronto
53. Lafreniere, Annette, Elliot Lake
54. Lakehead Social Planning Council, Thunder Bay
55. Lomas, Lynn, Toronto
56. Merriman, Lois, Toronto
57. Metro Toronto Department of Social Services, Toronto
58. Metro Toronto Department of Social Services, Nutrition Services, Toronto
59. Millichamp, D.A., Toronto
60. Ministry of Colleges and Universities, Program Research Branch
61. Mohawk College, Department of Early Childhood Education, Hamilton
62. Muirhead, Marilyn, Markham
63. Nepean Child Care Limited, Ottawa
64. Niagara Children's Services Committee, St. Catharines
65. Niagara Regional Health Unit, Welland
66. North Bay Daycare, North Bay
67. Northern College, South Porcupine
68. Occupational & Physical Therapy Committee on the Multi-handicapped, c/o Dept. of Rehabilitation Medicine, Hospital for Sick Children, Toronto
69. Octto, Carmen, Oshawa
70. Ontario Association for the Mentally Retarded, Toronto
71. Ontario Municipal Social Services Association, Toronto
72. Ontario Psychological Association, Toronto
73 Ontario Society for Crippled Children, Toronto

74. Ontario Society of Nutritionists in Public Health, Scarborough Department of Health, Scarborough
75. Penttinen, Kaisa, Thunder Bay
76. Porcupine Health Unit, Timmins
77. Prine, Jane, Ottawa
78. Private Home Day Care Association, Toronto
79. Protestant Children's Village, Ottawa
80. Regional Municipality of Niagara, Social Services Department, Thorold
81. Regional Municipality of Ottawa-Carleton, Ottawa
82. Regional Municipality of Waterloo, Department of Health & Social Services, Waterloo
83. Region of York, Day Care Services Branch, Newmarket
84. Riverside Park Nursery School, Ottawa
85. Robinson, Lucy M., Sundridge
86. St. George's Nursery School, Whitby
87. Sarnia & District Crippled Children's Treatment Centre, Sarnia
88. Seneca College of Applied Arts & Technology, Downsview
89. Seneca College - King Campus, King City
90. Seneca-Kindergarten Program, Nepean
91. Severs, Rita, Tecumseh
92. Smeekers, Connie, London
93. Smillie, Janet, Chatham, Ontario
94. Smith, Pat, Brantford
95. Story Book Nursery School & Day Nursery, Essex
96. Sun Parlour Day Nursery School, Essex
97. Szelagiewicz, Dale, Hamilton

98. Western Day Care Centre, London
99. Westminster Day Nursery, London
100. Wikwemikong Nursery School, Wikwemikong
101. Y.M.C.A. Central Branch, Toronto

APPENDIX C

GLOSSARY

Adult	A person who is 18 years of age or older.
Assessment	A process whereby a child's physical, intellectual, social and emotional growth at a given time is measured and expressed according to a sequence of developmental criteria including gross-motor, fine-motor, perception, receptive and expressive language skills and behaviours; and a summary is provided of the child's functioning in the foregoing areas in relation to his or her psychological environment, together with recommendations for an individual program plan.
Day Care Centre	A day nursery that enrols children under ten years of age for six or more hours a day on more than one day a week and for more than eight consecutive weeks at a time, but itself may be open for more than eight hours a day.
Day Nursery	The generic term used to define premises that receive more than five children who are not of common parentage, primarily for the purpose of providing temporary care, or guidance, or both temporary care and guidance, for a continuous period not exceeding 24 hours, where the children are under 18 years of age in the case of a day nursery for children with a developmental handicap, and under ten years of age in all other cases, or under 12 years in special circumstances.
Designated Funded Centre	A centre approved and funded by the Ministry to provide services to handicapped children.

Designated Integrated Day Nursery	A facility approved by the Ministry to enrol both handicapped and normal children.
Developmental Centre	A day nursery that exclusively enrols children with a developmental handicap, primarily from six through 17 years of age.
Developmental Handicap	A condition of mental impairment, present or occurring during a person's formative years, that is associated with limitations in adaptive behaviour verified by objective psychological or medical findings.
Director	An employee of the Ministry appointed by the Minister as a director for all or any of the purposes of the Day Nurseries Act.
Full-Day Program	Six hours or more.
Handicapped Child	A child who has a physical or mental impairment that is likely to continue for a prolonged period of time, and who as a result is limited in normal living activities, as verified by objective psychological or medical findings.
Individualized Training/ Treatment Plan	A written plan, based on a team assessment of specific behaviours and skills, stating the objectives for an individual handicapped child in sequential, time-dated measurable goals, and reviewed and revised at least once a month.

Individual Program Plan	A time-framed plan of intervention based on a variety of observations, assessments and reports on a child, pinpointing areas in which future growth would occur (long-term goals), and facilitating the implementation of a current individual training/treatment plan, preferably written by a team of people who have worked with the child, involving the child's parents, to be reviewed and revised every six months to one year.
Infant	A child from birth to 18 months of age.
In-Home Service	Service for a child in the child's own home, or in a place other than the child's own home where the child is receiving residential care. A qualified resource teacher visits a handicapped child on a regular basis for the purpose of teaching the child's parents or another caregiver techniques for carrying out a developmental program for the child.
Nursery for the Developmentally Handicapped	A day nursery that exclusively enrols children with a developmental handicap from two through five years of age.
Nursery School	A day nursery that enrols children from 30 months through five years of age, for a half day on more than one day in a week and for more than eight consecutive weeks at a time.
Operator	A person who has control or management of a day nursery or a private-home day care agency.
Preschool Child	A child between 30 months and five years of age.

Private-Home Day Care	Temporary care, under the supervision of a private-home day care agency, for reward or compensation for a period not exceeding 24 hours of five or fewer children under ten years of age in a private residence other than the home of a parent or guardian of any of the children.
Private-Home Day Care Agency	A person who provides private-home day care at more than one location.
Program	A combination of individual and group activities planned and implemented to enhance each child's physical, social, emotional and cognitive development.
Program Staff	Persons who are directly responsible for the developmental aspects of a day nursery program.
Resource Teacher	A person with special training who is employed for the development of individualized training/treatment plans and individualized program plans for handicapped children enrolled in private-home day care agencies, in-home services and designated integrated centres, and who also may assist program staff/providers and parents in working with handicapped children.
Room	A building space that is enclosed by four floor-to-ceiling height walls with not less than 2.3 metres clear ceiling height at any point over the entire floor, and complies with the health requirements of the Building Code Act.
School-Aged Program	A program provided for children from six through nine years of age, for care before and after school, during lunch hours and on school holidays.

Serious Occurrence

1) The death of a child in care.

2) Any injury to a child in care that is judged to be of a serious nature.

3) Fire or other disaster occurring on the premises.

4) Complaints made about operational and/or physical standards of the facility, when judged to be of serious nature (e.g. fire safety, hygiene, staff ratios, etc.).

5) All cases involving a major public breach of confidentiality (e.g. improper or unauthorized release of records).

Supervisor

A person who plans and directs the program of a day nursery, is directly in charge of the children, and oversees staff.

Team Assessment

An assessment of a child's physical, mental, social and emotional growth performed by a team of specialists including at least three of the following:

- audiologist
- dietician/nutritionist
- early childhood education consultant
- educational consultant
- kinesiologist
- occupational therapist
- pediatrician/general practitioner
- physiotherapist
- psychiatrist
- psychometrist
- public health nurse
- registered psychologist
- speech therapist, or
- supervisor.

Toddler

A child between 18 months and 30 months of age.

APPENDIX D

SUMMARY OF DOCUMENTATION REQUIRED BY THE FINAL STANDARDS

Day Nurseries Programming

Program Statement

PS-01.1 Dated written statement outlining the program philosophy and method of operation for each program.

Daily Program Schedule

PS-02.1 Written daily program schedule.

Nutrition

PS-03.1 Written instructions from parents regarding infant feeding

PS-03.2 Written approval enabling the operator to make alternative plans for meals for any children more than 5 years of age

PS-03.3 Menus for the previous 30 days with all substitutions documented.

Personal and Health Care

PS-04.5 Written procedure regarding serious occurrences

PS-04.7 Written procedure for the administration of drugs and the keeping of appropriate records

Written instructions including a schedule of administration for any drug administered.

Behaviour and Guidance

PS-05.1 Written policy regarding permitted and prohibited behaviour management practices

Written policies and procedures regarding contravention of behaviour management practices.

Program Records

Content and Maintenance of Program Records

PS-06.1 Personal documents for each child:

a) an application for enrolment signed by a parent or guardian

b) the name, date of birth and current home address of the child

c) the name(s), current home address(es) and telephone number(s) of the parent(s) or guardian of the child

d) the current place and telephone number at which a parent, guardian or alternate person(s) can be reached in case of an emergency during the hours when the child is in the care of the day nursery

e) the names of persons to whom the child may be released

f) the name, address and telephone number of the child's family physician

g) the child's OHIP number and the surname and initial of the subscriber

h) the date of admission of the child

i) the date of discharge of the child

j) a record of the monthly growth of a child who is under 18 months of age

k) a record of the child's immunizations, communicable diseases and conditions requiring medical attention

l) symptoms indicative of ill health and child abuse

m) a recommendation in writing signed by a parent or guardian for any medical treatment or drug or medication for the child that is to be administered during the hours the child is in the day nursery

n) a recommendation in writing signed by a parent or guardian with respect to any special requirements for diet, rest or exercise

PS-06.2 Records of inspections by local authorities

PS-06.3 Daily written record.

Confidentiality

PS-07.1 Written consent for release of personal information.

HUMAN RESOURCES

Program Staff/Child Rations

HRS-01.2 Written approval for the mixing of Schedule 2 age groups

HRS-01.5 Staff duties assigned in writing.

Staff Qualifications

HRS-02.1 Qualifications and/or approval of supervisor

HRS-02.2 Qualifications or approval of trained program staff.

Health of Staff

HRS-03.1 Certification of health assessment and immunization as required by the local Medical Officer of Health.

PHYSICAL PLANT

Building Selection

PPS-01.1 Evidence of compliance with local health, fire and zoning by-laws.

Playground

PPS-02.1 Exemption from outdoor spatial requirements

PPS-02.2 Exemption from playground location requirements.

Building Interior

PPS-03.4 Approval for children under 6 years of age to use rooms above the second storey.

Fire Safety and Emergency Information

PPS-05.1 Written fire procedure
Written record of all fire drills and tests of alarm system and equipment

PPS-05.3 Daily attendance record indicating arrivals and departures

PPS-05.4 Current emergency contact information.

Organization and Management

Terms and Conditions

OMS-02.1 Terms and conditions for care exceeding 12 hours

OMS-02.2 Terms and conditions for a day nursery with a planned capacity of 80 or more children.

Financial Records

OMS-03.1 Financial records as specified.

Registers and Agreements

OMS-05.1 Current register of all supervised day care homes

Current register of all children enrolled

Record of the home in which each child is placed

OMS-05.2 Provider signed acknowledgement of receipt of information specified

OMS-05.3 Written agreements between agency and providers

OMS-05.4 Written agreement fo day care services purchased.

Insurance

OMS-06.1 Insurancy policy(ies) covering operators as specified

OMS-062 Insurance policy(ies) covering providers as specified.

PRIVATE-HOME DAY CARE

Program Statement

DCS-01.1 & DCS-01.2 Dated written statement outlining the program philosophy and method of operation for each program.

Statement of Preferred Daily Activities

DCS-02.1 Written statement outlining preferred daily activities.

Personal Care

DCS-03.1 Written statement of sanitary procedures.

Health Care

DCS-05.8 Written procedure for the administration of drugs and the keeping of appropriate records

*Written instructions including a schedule of administration for any drug administered.

Nutrition

DCS-06.2 *Written instructions from parents regarding infant feeding

*Written instructions regarding special dietary or feeding arrangements.

Behaviour and Guidance

DCS-07.1 Written policy regarding permitted and prohibited behaviour management practices

Written policies and procedures regarding contravention of behaviour management practices

DCS-07.3 Written procedure for the monitoring of behaviour management practices

Current record of the monitoring procedure.

*Duplicate records in the home and agency.

Content and Maintenance of Children's Records

DCS-08.1 Personal documents for each child:

a) an application for enrolment signed by a parent or guardian

b) the name, date of birth and current home address of the child

c) the name(s), current home address(es) and telephone number(s) of the parent(s) or guardian of the child

d) the current place and telephone number at which a parent, guardian or alternate person(s) can be reached in case of an emergency during the hours when the child is in the care of the agency

e) the names of persons to whom the child may be released

f) the name, address and telephone number of the child's family physician

g) the child's OHIP number and the surname and initial of the subscriber

h) the date of admission of the child

i) the date of discharge of the child

j) a record of the daily attendance of the child

k) a record of the child's immunizations, communicable diseases and medical conditions requiring special attention including allergies

l) symptoms indicative of child abuse

m) a recommendation in writing signed by a parent or guardian for any medical treatment or drug or medication for the child that is to be administered during the hours the child is in private-home day care

n) a recommendation in writing signed by a parent or guardian with respect to any special requirements for diet, rest or exercise

DCS-08.2 Record of inspections by local authorities.

Confidentiality

DSC-09.1 Written consent for release of personal information.

QUALIFICATIONS

Home Visitors

DCS-11.1 Qualifications and/or approval of home visitors.

Day Care Providers

DCS-11.2 Written policies and criteria regarding providers.

Health of Providers

DCS-12.1 Certification of health assessment and immunization as required by the local Medical Officer of Health.

TRAINING AND DEVELOPMENT PLANS

Home Visitors

DCS-13.1 Training plan for each home visitor

Review process described and recorded.

Day Care Providers

DCS-13.2 Annual plan and written policies and practices with respect to the training, development and support of providers.

Home Selection

DCS-14.1 Written home selection policies, practices and procedures

DCS-14.2 Record of quarterly inspections of homes.

Equipment and Furnishings

DCS-17.1 Written policies, practices and procedures regarding provision of equipment

DCS-17.4 Written policy with respect to firearms.

Fire Safety and Emergency Information

DCS-18.1 Written home-specific fire evacuation plan

DCS-18.3 Current emergency contact information.

HANDICAPPED CHILDREN IN DESIGNATED FUNDED PROGRAMS

Individual Program Plan

FPS-01.1 Written individual program plan and training/treatment plan.

Daily Schedule

FPS-02.1 Written daily schedule including specified requirements

Daily recording of training and any deviations

FPS-02.2 Daily recording of training and any deviations.

Content of Children's Records

FPS-03.1 Personal documents for each child as required under PS-06.1 or DCS-08.1 and in addition:

a) a letter or referral and within four months of admission a summary of a team assessment or a notation on the child's file showing the planned assessment date

b) signed permission forms for participation in specialized services, where required

c) a record of all home visits, where applicable.

Staff Qualifications

FPS-05.1 Qualifications or approval of trained program staff

FPS-05.2 Qualifications and/or approval of resource teachers

FPS-05.3 Qualifications and/or approval of supervisor

FPS-05.4 Training plan for each employee

Review process described and recorded.

Building Interior

FPS-06.1 Approval for children to use rooms above the second storey.

APPENDIX E

THE FINAL STANDARDS

Day Nurseries Programming

P-01 Program Statement

PS-01.1 The operator of the day nursery shall have a written statement outlining the program philosophy and method of operation of each of its nursery programs, and this statement shall be readily available. This statement shall specify:

a) services offered and age range served

b) the length of operating day, week, year and holidays observed

c) fee schedule and admission and discharge policy

d) the particular approach to programming that is followed including:

i) philosophy
ii) program development
iii) individual program plans for handicapped children
iv) personal and health care including nutrition
v) parental involvement
vi) behaviour and guidance
vii) specialized services
viii) excursions off the premises.

PS-01.2 The written statement outlined in PS-01.1 shall be reviewed annually by the operator as part of the process of licence renewal.

P-02 Daily Program Schedule

PS-02.1 The operator shall establish a written daily program schedule for each day nursery operated. The schedule shall be posted in the day nursery. Major variations from the schedule shall be recorded in the daily written record. (SEE: PS-06.3.)

PS-02.2 The daily program plan shall be varied and flexible, and include but not necessarily be limited to opportunities for the following activities appropriate to the developmental levels of the children:

a) group and individual activities

b) activities designed to promote gross and fine-motor skills, language and cognitive, social and emotional development

c) active and quiet play.

PS-02.3 There shall be provision in the schedule so that:

a) Infants not yet able to walk are separated from other children during active indoor and outdoor play periods.

b) Children under 30 months of age are separated from other children during active indoor and outdoor play periods, except in the case of handicapped children.

c) Children under six years of age are separated from older children during indoor and outdoor play periods, except in the case of handicapped children.

PS-02.4 There shall be provision in the schedule so that:

a) Each child under 30 months of age in attendance for a full day shall be outdoors for sleep or play for a period of up to two hours each day, weather permitting, unless a physician or parent or guardian advises otherwise, in writing.

b) Each child more than 30 months of age in attendance for a full day shall play outdoors for at least two hours each day, weather permitting, unless a physician or parent or guardian advises otherwise, in writing.

c) Each child between the ages of 18 months and five years in attendance for a full-day session shall have a rest period of up to two hours following the mid-day meal.

d) A child unable to sleep shall not remain in bed for longer than one hour.

P-03 Nutrition

In a day nursery where infants are in attendance:

PS-03.1 a) Each infant under one year of age shall be fed in accordance with written instructions from a parent or guardian regarding amount, type and scheduling.

b) Where nourishment is supplied by a parent or guardian, it shall be labelled with the child's name.

c) All nourishment shall be stored, prepared and served so as to retain maximum nutritive value, and to prevent contamination.

PS-03.2 The operator shall provide for each child more than one year of age attending the day nursery:

a) a balanced meal at an appropriate meal time consisting of at least: one serving from milk and milk products; one serving from meat and alternates; one serving from bread and cereals; two servings from fruits and vegetables as outlined in Schedule 1, unless otherwise approved in writing by the Director for children more than five years of age

b) foods between meals at appropriate times that promote good dental and nutritional health

c) food totalling a minimum of half the required daily servings from each food group as shown in Schedule 1 for children in attendance for six hours or more

d) food that is stored, prepared and served to retain maximum nutritive value, and to prevent contamination.

PS-03.3 Planned menus for the current week and the week following shall be posted in a conspicuous place in the day nursery. Posted menus shall indicate any substitutions served to the children. Menus shall be retained for 30 days.

PS-03.4 The names of children who suffer food allergies and their respective allergies shall be posted in cooking and serving areas.

PS-03.5 Special dietary or feeding arrangements for a child in attendance in the day nursery shall comply with written instructions from a parent or guardian. (SEE: PS-06.1(n).)

Schedule 1

Food Group	Number of Daily Servings
Milk and milk products	2 to 3 servings
Meat and alternates	2 servings
Bread and cereals	3 to 5 servings
Fruits and vegetables	4 to 5 servings

P-04 Personal and Health Care

PS-04.1 The personal and health care practices of the day nursery shall comply with any direction or order of the local medical officer of health.

PS-04.2 The day nursery shall ensure that before admission to the program and from time to time thereafter, each child shall have immunization as required by the local medical officer of health, except where a parent or guardian files with the operator a statement of exemption for reasons of health or religion.

PS-04.3 A daily observation of every child in the day nursery shall be made by a member of the program staff, before the child begins to associate with other children, to detect symptoms of ill health or child abuse; any such symptoms shall be noted in the child's personal file. (SEE: PS-06.1(l).)

PS-04.4 Any child in the day nursery who develops symptoms of serious illness shall be separated from other children and supervised in a quiet area until the child can be examined by a licensed physician or a nurse registered under the Health Disciplines Act, R.S.O. 1980, c. 196, or a parent, guardian or authorized person calls for the child.

PS-04.5 The operator shall:

a) have a written policy and procedures with respect to serious occurrences

b) notify the Ministry within 24 hours of any serious occurrence.

PS-04.6 The day nursery shall provide an acceptable first aid kit and manual, which shall be kept in a location that is known and accessible to staff.

PS-04.7 Where the operator agrees to the administration of drugs, the supervisor shall:

a) establish a written procedure as directed by a nurse currently registered under the Health Disciplines Act, R.S.O. 1980, c. 196 or by a licensed physician for the administration of any drug or medication for any child enrolled and for the keeping of appropriate records, including those required under the Narcotic Control Act (Canada)

b) ensure that drugs and medications are stored as directed in a location which is inaccessible to children and in the charge of the supervisor or some other employee of the nursery designated by the supervisor

c) ensure that drugs and medications are administered to a child only where a parent or guardian has given specific written instructions, inculding a written schedule of administration for each drug or medication

d) ensure that any drug or medication to be administered to a child is provided by a parent or guardian in the original container clearly labelled with the child's name, the date, the name of the drug or medication, and instructions for storage and administration of the drug or medication.

PS-04.8 Where there are dogs and cats in a day nursery the operator shall ensure that these animals are properly protected against rabies.

P-05 Behaviour and Guidance

PS-05.1 The operator shall:

a) have a written policy for staff with respect to permitted and prohibited behaviour management practices

b) have written policies and procedures with respect to contravention of behaviour management practices by staff

c) review the written policies and procedures referred to in parts (a) and (b) above with all staff upon employment and at least annually thereafter.

PS-05.2 The operator shall not use or permit the use of:

a) corporal punishment, including but not limited to striking a child, directly or with any physical object, shaking, shoving, spanking or other forms of aggressive contact, requiring or forcing the child to repeat physical movements or forcing food on the child

b) harsh, belittling or degrading responses of any form, including verbal, emotional and physical, that would humiliate a child or undermine a child's self-respect

c) denial of usual comforts including shelter, clothing, bedding, and food

d) confinement in a lockable room or structure, isolation or physical restraint as a form of punishment.

Program Records

P-06 Content and Maintenance of Program Records

PS-06.1 The operator shall keep on the premises of the day nursery a personal file for each child, maintained up to date and for at least two years after the discharge of the child, that shall include:

a) an application for enrolment signed by a parent or guardian

b) the name, date of birth and current home address of the child

c) the name(s), current home address(es) and telephone number(s) of the parent(s) or guardian of the child

d) the current place and telephone number at which a parent, guardian or alternate person(s) can be reached in case of an emergency during the hours when the child is in the care of the day nursery

e) the names of persons to whom the child may be released

f) the name, address and telephone number of the child's family physician

g) the child's OHIP number and the surname and initial of the subscriber

h) the date of admission of the child

i) the date of discharge of the child

j) a record of the monthly growth of a child who is under 18 months of age

k) a record of the child's communicable diseases, conditions requiring medical attention and immunization or a statement of exemption for reasons of health or religious belief

l) symptoms indicative of ill health and child abuse

m) written instructions signed by a parent or guardian for any medical treatment or drug or medication for the child that is to be administered during the hours the child is in the day nursery

n) written instructions signed by a parent or guardian with respect to any special requirements for diet, rest or exercise

PS-06.2 The operator shall keep on the premises records of inspections made by the local medical officer of health or any person designated by him or her, the local fire department and any person designated as a program adviser under subsection 1 of section 16 of the Day Nurseries Act, R.S. O. 1980, c. 111 making an inspection on behalf of the Minister.

PS-06.3 The operator shall ensure that a daily written record is maintained that includes a summary of any incident affecting the health, safety or well-being of the children and staff.

P-07 Confidentiality

PS-07.1 The operator shall keep personal records of each child, family and employee confidential and in a locked container, to be released only with written consent of a child's parent or guardian or an employee, except in the case of child abuse, where personal records may be released in accordance with the Child Welfare Act, 1978, R.S.O. 1980, c. 66.

Human Resources in Day Nurseries

HR-01 Program Staff/Child Ratios

HRS-01.1 The number of program staff (SEE: HRS-02.2) required for the care and guidance of children whether on the premises of the day nursery or on excursions shall be determined in accordance with Schedule 2 and HRS-01.3, except where the Director gives written authorization for a change in the required number.

Schedule 2

Program Staff/Child Ratios and Group Size

a) Normally Functioning Children

	Age of Child	Ratio	(Group Size)
Full-Day Program	Birth to 18 months	3:10	(10)
	18 months to 30 months	1:5	(15)
	2½ years to 5 years	1:8	(16)
	5 years	1:12	(24)
	6 years to 9 years	1:15	(30)
Half-Day Program	Birth to 18 months	3:10	(10)
	18 months to 30 months	1:5	(15)
	2½ years to 5 years	1:8	(16)
	5 years	1:12	(24)
	6 years to 9 years	1:15	(30)

b) Handicapped Children in Designated Funded Programs

2 years to 6 years	1:4	(8)
6 years to 18 years	1:3	(6)

c) Designated Integrated Day Care Centre

Ratios are to be calculated according to the combined capacity of handicapped and normal children. Resource teachers are required in addition in accordance with ratios for handicapped children.

HRS-01.2 Schedule 2 age categories may be mixed within one group only with the written approval of the Director. The program staff/child ratio required for the younger age category shall be used for mixed-age groups where more than 20% of the children are from the younger age category.

HRS-01.3 Where fewer than five full-time equivalent program staff are required to meet ratios as in Schedule 2, the supervisor may be counted as a full-time equivalent member of program staff; where five or six full-time equivalent program staff are required to meet ratios as in Schedule 2, a full-time supervisor may be considered administrative staff rather than program staff for up to half the full-time equivalent hours; the supervisor of a program with seven or more full-time equivalent staff required shall not be counted as a member of program staff in determining ratios as in Schedule 2.

HRS-01.4 There shall be no fewer than two adults, of whom one shall be a program staff member, on the premises of the day nursery at all times while there are six or more children in attendance, or where there are infants, three or more infants in attendance.

HRS-01.5 The operator shall assign staff duties in writing in accordance with Schedule 2. The ratios of staff to children in attendance shall apply at all times except in a full-day program during the periods of arrival, departure and rest, in which case the observed ratios shall never be less than two-thirds of the required ratios as determined in Schedule 2.

HRS-01.6 Children in the day nursery shall not at any time be left without program staff supervision.

HR-02 Staff Qualifications

HRS-02.1 The operator shall employ a supervisor who has:

a) completed an approved program in early childhood education, or the equivalent including specific child-related studies and supervised practice, and at least two years' experience in a day nursery(ies) appropriate to the ages and developmental levels of the children enrolled, or who otherwise has been recommended by the program adviser, and

b) the written approval of the Director.

HRS-02.2 The operator shall employ for the care and guidance of each group of children, as defined in Schedule 2, a program staff person who has completed an approved program in early childhood education, or the equivalent including specific child-related studies and supervised practice, and whose training is appropriate to the ages and developmental levels of the children enrolled, or who has the written approval of the Director.

HR-03 Health of Staff

HRS-03.1 Every member of the staff of the day nursery, before commencing employment and thereafter, shall furnish certification of a health assessment and immunization as may be required by the local medical officer of health.

Physical Plant

PP-01 Building Selection

PPS-01.1 No premises shall be used as a day nursery until written evidence has been furnished stating that the premises comply with :

a) the laws affecting the health of inhabitants of the municipality or the reserve of a band, as the case may be, including any rule, regulation, direction or order of the local board of health and any direction of the local medical officer of health

b) any by-law of the municipality in which the premises is located or any by-law of the council of the band on the reserve, as the case may be, and any other law for the protection of persons from fire hazards

c) any restricted area, standard of housing or building by-law passed by the municipality pursuant to Part III of the Planning Act, R.S.O. 1980, c. 379 or any predecessor thereof and, where the premises is located on the reserve of a band, any by-law of the council of the band on the reserve to regulate the construction, repair or use of buildings

d) the requirements of Ontario Regulation 925/75 made under the Building Code Act, R.S.O. 1980, c. 51 where applicable.

PPS-01.2 Before a new building is erected or an existing building is used, altered or renovated for use as a day nursery, or before any renovations or changes are made in an existing licensed day nursery, the plans, including those of the playground area, shall be approved by the Ministry.

PP-02 Playground

PPS-02.1 A full-day nursery shall have a minimum outdoor play space of 5.6 square metres per child in accordance with licensed capacity, and:

a) the playground shall be used by a group limited to 64 children at one time, or

b) the playground area shall be divided by a fence so that each playground area provides space for use by 64 children or fewer at one time

unless otherwise approved in writing by the Director.

PPS-02.2 Every playground shall be at ground level and adjacent to the building unless otherwise approved in writing by the Director.

PPS-02.3 Every playground used by children under the age of six years shall be fenced on all sides to a minimum height of 1.2 metres so that the children can be contained within the playground, furnished with a gate or gates equipped with bolts and securely fastened at all times.

PPS-02.4 Every playground shall be laid out so that the program staff may maintain constant supervision of the children. (SEE: HRS-01.6.)

PPS-02.5 The equipment and furnishings of every playground shall include materials for gross-motor activity in proportion to the capacity of the playground and of a type suitable for the ages and developmental levels of the children enrolled.

PPS-02.6 The operator shall ensure that the playground surface and outdoor equipment are kept clean, safe and in a state of good repair.

PP-03 Building Interior

PPS-03.1 1. The day nursery shall provide designated space appropriate for the following:

a) play activity

b) toileting, washing, dressing, and isolation

c) storage for toys and indoor play materials and equipment

d) storage for food

e) storage for required records

f) storage inaccessible to children for medical supplies, cleaning materials and equipment and other hazardous substances

g) heating and electrical equipment that is inaccessible to children.

2. A full-day nursery shall provide, in addition to Part 1 above, designated space appropriate for the following:

a) eating and resting

b) the preparation of food if meals are prepared on the premises

c) storage for beds and linens

d) a staff rest area

e) outdoor play equipment and storage.

PPS-03.2 The play activity space of the day nursery shall provide a minimum of 2.8 square metres of unobstructed floor space for each child in accordance with licensed capacity.

PPS-03.3 The activity floor space of the day nursery shall include:

a) two separate play activity rooms where more than ten children up to 18 months of age are enrolled, with an additional room being provided for every additional ten children under 18 months of age enrolled

b) a sleeping area for every ten children under the age of 18 months enrolled that is physically separated from the play activity space

c) two separate play activity rooms where more than 15 children between 18 months and 30 months of age, both ages inclusive, are enrolled, with an additional room being provided for every additional 15 children enrolled

d) two separate play activity rooms where more than 24 children from 30 months to five years, both ages inclusive, are enrolled, with an additional room being provided for every additional 24 children in this age group enrolled

e) two separate play activity rooms where more than 30 children from six to nine years, both ages inclusive, are enrolled, with an additional room being provided for every additional 30 children in this age group enrolled.

PPS-03.4 The location of all rooms in a day nursery for the use of children under six years of age shall be on or below the second storey, unless otherwise approved in writing by the Director.

PPS-03.5 The window glass area in the play activity space of a day nursery operating a full-day program and licensed for the first time, shall contain an area equivalent to 10% of the floor area served.

PPS-03.6 Artificial illumination in the play activity space of the day nursery shall be at the level of 55 dekalux.

PPS-03.7 A temperature of at least 20°C shall be maintained in the play activity space of the day nursery between October 1 and May 31.

PP-04 Equipment and Furnishings

PPS-04.1 The play equipment and the furnishings of the day nursery shall be provided in accordance with:

a) the capacity of the nursery

b) the ages and developmental levels of the children enrolled

c) the type of program(s) offered

and the play equipment shall be sufficient in quantity to allow for rotation.

PPS-04.2 The equipment and furnishings of the day nursery shall be maintained in a safe and sanitary condition.

PPS-04.3 A washable blanket and sheet shall be provided for every child during resting periods; bedding shall be laundered weekly.

PPS-04.4 Where children under 18 months of age are enrolled, the equipment and furnishings shall also include:

a) a table or counter space adjacent to the sink for dressing and changing diapers, one child at a time, for every ten children enrolled

b) a crib that meets the regulations of the Hazardous Products Act (Canada) for each child enrolled.

PPS-04.5 Where children from 18 months of age to 30 months of age, both ages inclusive, are enrolled, the equipment and furnishings shall also include:

a) a table or counter space adjacent to the sink for dressing and changing diapers, one child at a time, for every 15 children enrolled

b) a cot for each child enrolled for a full-day session.

PPS-04.6 Where children from 30 months of age to five years of age, both ages inclusive, are enrolled, the equipment and furnishings shall also include a cot or approved resting mat for each child enrolled for a full-day session.

PPS-04.7 In a full-day program, a private flush toilet shall be provided for the use of the staff and a separate staff washroom shall be provided where six or more program staff are employed.

PPS-04.8 Except where telephone service is not available in the community, the day nursery shall have appropriate telephone service.

PP-05 Fire Safety and Emergency Information

PPS-05.1 The operator shall ensure that:

a) A written procedure specifying the duties of each member of the staff and acceptable to the local fire chief is established, and staff are instructed as to their responsibilities in the event of fire.

b) The written procedure is posted in a conspicuous place in each room of the day nursery.

c) Fire drills are conducted at least once a month.

d) A written record is kept of all fire drills, all tests of the fire alarm system and all tests of fire protection equipment.

e) There is a designated place of shelter in the event that the day nursery must be vacated due to an emergency.

PPS-05.2 The operator shall ensure that a list of emergency addresses and telephone numbers is posted on a card adjacent to the telephone in the day nursery, and this list shall include but not be limited to:

a) the fire department

b) the nearest hospital

c) the nearest ambulance service

d) the nearest poison control centre

e) the police department.

PPS-05.3 The operator shall ensure that a daily record of all children in attendance indicating arrivals and departures is completed and easily accessible at all times.

PPS-05.4 Emergency contact information maintained up to date shall be easily accessible at all times that children are in the day nursery, and shall include but not be limited to:

a) the name, address and telephone number of each child's physician, the child's OHIP number and the surname and initial of the subscriber

b) home and work addresses and telephone numbers of each child's parent(s) or guardian and an emergency contact person(s) if a parent or guardian cannot be reached

c) any special medical information provided by the child's parent(s) or guardian or physician, or additional information that might be helpful in handling an emergency situation.

Organization and Management

OM-01 Identifiable Authority

OMS-01.1 The operator of a day nursery or a private-home day care agency shall designate a person within its organization who has responsibility for the management of programs under the Day Nurseries Act, R.S.O. 1980, c. 111, and oversees day-to-day operations.

OM-02 Terms and Conditions

OMS-02.1 A day nursery that operates for more than 12 hours in a continuous period of 24 hours and is licensed subject to terms and conditions in addition to those prescribed by the regulations of the Day Nurseries Act, R.S.O. 1980, c. 111 shall comply with these terms and conditions.

OMS-02.2 A building to be used as a day nursery, whether new or to be renovated, with a planned capacity of 80 children or more shall receive approval of the Ministry subject to terms and conditions in addition to those prescribed by the regulations of the Day Nurseries Act, R.S.O. 1980, c. 111.

OM-03 Financial Records

OMS-03.1 The operator shall keep financial records in accordance with generally accepted accounting principles for any day nursery or private-home day care agency operated, and retain such financial records for at least six years from the time of their making.

OM-04 Financial Reporting

OMS-04.1 The operator shall furnish to the Ministry such financial and statistical information as the Ministry may from time to time require with respect to each day nursery, private-home day care service or in-home service provided by the operator.

OM-05 Registers and Agreements

OMS-05.1 The private-home day care agency shall keep on its premises a current register of all its supervised day care homes and all information regarding them required by the Day Nurseries Act, R.S.O. 1980, c. 111 and the regulations, and a current register of all children enrolled and a record of the home in which each child is placed, and shall provide such information as may from time to time be required by the Ministry.

OMS-05.2 The private-home day care agency shall provide each prospective day care provider with a written copy of all requirements of providers as set out in the Day Nurseries Act, R.S.O. 1980, c. 111 and relevant agency policies, and obtain a signed acknowledgement from the provider that such information has been received prior to commencement of an agreement under OMS-05.3.

OMS-05.3 The private-home day care agency shall complete a written agreement with each of its day care providers specifying the financial and administrative arrangements between them.

OMS-05.4 Where an operator arranges to provide day nursery services or private-home day care on behalf of a municipality or band, the operator shall retain a record of the written agreement with the municipality or band specifying the financial and administrative arrangements between them.

OM-06 Insurance

OMS-06.1 The operator of a day nursery or a private-home day care agency shall have a policy or policies of insurance that shall include but not be limited to the following coverage:

a) comprehensive general liability coverage including personal injury coverage to pay on behalf of the operator all sums which the operator shall become obligated to pay by reason of the liability imposed by law upon the operator, including employees and volunteers or assumed by the operator under contract

b) liability coverage for all vehicles whether owned or not owned by the operator used by the operator, employees, and volunteers while on the operator's business.

OMS-06.2 The private-home day care agency shall ensure that there is a policy or policies of insurance wherein each of its providers has insurance coverage conforming with the requirements of OMS-06.1.

Private-Home Day Care Agencies

DC-01 Program Statement

DCS-01.1 The agency shall have a written statement outlining the program philosophy and method of operation of each of its private-home day care programs, and this statement shall be readily available to parents and providers. This statement shall specify:

a) services offered and age range served

b) the length of operating day, week, year and holidays observed

c) fee schedule and admission and discharge policy

d) the particular approach to programming that is followed including:

i) philosophy
ii) preferred daily activities
iii) personal and health care including nutrition
iv) parental involvement
v) behaviour and guidance
vi) specialized services
vii) excursions off the premises.

DCS-01.2 The written statement outlined in DCS-01.1 shall be reviewed annually by the operator as part of the process of licence renewal.

DC-02 Statement of Preferred Daily Activities

DCS-02.1 The agency shall have a written statement of preferred daily activities, and the statement shall be distributed to each of its providers in accordance with OMS-05.2 and made available to parents.

DCS-02.2 The statement of preferred daily activities shall include, but not be limited to the following:

a) small group and/or individual activities

b) activities designed to promote gross and fine-motor skills, language and cognitive, social and emotional development

c) active and quiet play

d) outdoor play, especially for children more than two years of age in attendance for a full day, and the conditions under which such play shall not occur.

DC-03 Personal Care

DCS-03.1 The agency shall have a written statement of sanitary procedures for personal care of the children, with particular reference to those under the age of two.

DC-04 Rest

DCS-04.1 The agency shall ensure that the daily activities include provision for each child under the age of 30 months in attendance for a full day to be outside for sleep or play for a period of up to two hours, weather permitting, unless a physician or parent or guardian advises otherwise, in writing.

DCS-04.2 The agency shall ensure that the daily activities include provision for each child between the ages of 18 months and five years, both ages inclusive, in attendance for a full day to have a rest period of up to two hours following the mid-day meal.

DCS-04.3 Children unable to sleep shall be permitted to engage in quiet activities.

DC-05 Health Care

DCS-05.1 The agency shall ensure that before admission to the program, each child shall have immunization as required by the local medical officer of health. Each child shall be immunized thereafter as required by the local medical officer of health.

DCS-05.2 The agency shall require that each provider make a daily observation of every child in the private-home day care home before the child begins to associate with other children to detect symptoms of ill health or child abuse.

DCS-05.3 The agency shall ensure that any child in private-home day care who develops symptoms of serious illness is encouraged to remain in a quiet, but not completely isolated, area designated for rest and care until the child can be examined by a licensed physician or nurse registered under the Health Disciplines Act, R.S.O. 1980, c. 196 or a parent, guardian or authorized person calls for the child.

DCS-05.4 The agency shall:

a) have a written policy and procedures with respect to serious occurrences in supervised homes

b) notify the Ministry within 24 hours of any serious occurrence.

DCS-05.5 The agency shall ensure that every provider keeps available on the premises an acceptable first aid kit and manual.

DCS-05.6 Where the operator of a private home day care agency agrees to the administration of drugs, the agency shall ensure that:

a) A written procedure, as directed by a nurse registered under the Health Disciplines Act, R.S.O. 1980, c. 196, or by a legally qualified medical practitioner, is established for the administration of any drug or medication for any child enrolled and for the keeping of appropriate records, including those required under the Narcotic Control Act (Canada).

b) The provider stores all drugs and medications as directed in a location which is inaccessible to children and in the charge of the provider.

c) The provider administers drugs and medications only where a parent or guardian has given specific written instructions, including a written schedule of administration for each drug or medication.

d) The provider administers to a child only those drugs or medication provided by a parent or guardian in the original container clearly labelled with the child's name, the date, the name of the drug or medication and instructions for storage and administration of the drug or medication.

DCS-05.7 The agency shall ensure that in each supervised home where there are dogs and cats on the premises, these animals are properly protected against rabies.

DC-06 Nutrition

DCS-06.1 The agency shall ensure that each provider plans menus and feeding arrangements after consultation with the child's parents or guardian and the private-home day care visitor.

DCS-06.2 The agency shall ensure that each provider:

a) feeds each infant under one year of age in accordance with written instructions from a parent or guardian regarding amount, type and scheduling; stores any nourishment brought by a parent or guardian appropriately until meal time; and where more than one infant is cared for, has the formula individually labelled

b) provides for each child more than one year of age a balanced meal at an appropriate meal time consisting of at least: one serving from milk and milk products; one serving from meat, and alternates; one serving from bread and cereals; and two servings from fruit and vegetables as outlined in Schedule 1

c) provides foods that promote good dental and nutritional health for children more than one year of age between meals at appropriate times

d) provides for children more than one year of age in attendance for six hours or more food totalling a minimum of half the required daily servings from each food group as shown in Schedule 1

e) follows special dietary or feeding arrangements in accordance with written instructions from a parent or guardian after consultation with the home visitor as in DCS-06.1 above.

DC-07 Behaviour and Guidance

DCS-07.1 The agency shall:

a) have a written policy with respect to behaviour management practices permitted and prohibited for its providers

b) have written policies and procedures with respect to contravention of behaviour management practices by providers

c) review the written policies and procedures referred to in (a) and (b) above with all its care providers and private-home day care visitors upon commencement of service and at least annually thereafter.

DCS-07.2 The operator shall not use or permit the use of:

a) corporal punishment, including but not limited to striking a child, directly or with any physical object, shaking, shoving, spanking or other forms of aggressive contact, requiring or forcing the child to repeat physical movements or forcing food on the child

b) harsh, belittling or degrading responses of any form, including verbal, emotional and physical, that would humiliate a child or undermine a child's self-respect

c) denial of usual comforts including shelter, clothing, bedding and food

d) confinement in a lockable room or structure, isolation or physical restraint as a form of punishment.

DCS-07.3 The agency shall have a written procedure for the monitoring of the behaviour management practices of its providers, and a record of this monitoring shall be kept up to date.

DC-08 Content and Maintenance of Children's Records

DCS-08.1 The operator shall keep in the office of the agency a personal file for each child maintained up to date and for at least two years after the discharge of the child that shall include:

a) an application for enrolment signed by a parent or guardian

b) the name, date of birth and current home address of the child

c) the name(s), current home address(es) and telephone number(s) of the parent(s) or guardian of the child

d) the current place and telephone number at which a parent, guardian or alternate person(s) can be reached in case of an emergency during the hours when the child is in the care of the agency

e) the names of persons to whom the child may be released

f) the name, address and telephone number of the child's family physician

g) the child's OHIP number and the surname and initial of the subscriber

h) the date of admission of the child

i) the date of discharge of the child

j) a record of the daily attendance of the child

k) a record of the child's communicable diseases, medical conditions requiring special attention, including allergies and immunization or a statement of exemption for reasons of health or religious belief

l) symptoms indicative of child abuse

m) written instructions signed by a parent or guardian for any medical treatment or drug or medication for the child that is to be administered during the hours the child is in private-home day care

n) written instructions signed by a parent or guardian with respect to any special requirements for diet, rest or exercise.

DCS-08.2 The agency shall maintain records of vists of inspection made to its premises and any of its providers by the local medical officer of health or any person designated by him or her, the local fire department or any person designated as a program adviser under subsection 1 of section 16 of the Day Nurseries Act, R.S.O. 1980, c. 111.

DC-09 Confidentiality

DCS-09.1 The agency shall keep the personal records of each child, the child's family, each provider and employees confidential and in a locked container, to be released only with the written consent of the responsible adult, except in the case of child abuse, where personal records may be released in accordance with the Child Welfare Act, R.S.O. 1980, c. 196.

DCS-09.2 The agency shall ensure that providers keep confidential any information with respect to any child and family served.

DC-10 Group Size

DCS-10.1 The number of private-home day care visitors required by the agency to supervise its day care homes shall not exceed the ratio of 25 homes for each private-home day care visitor.

DCS-10.2 The agency shall ensure that the number of children placed in the charge of any provider including the children of the provider under the age of six does not exceed five children, and further that of that total number a provider cares for:

a) no more than two handicapped children

b) no more than two children who are two years of age or younger

c) no more than three children who are three years of age or younger

d) no combination of (a), (b) and (c).

DCS-10.3 Within the limits set out in DCS-10.2, the agency shall establish a maximum capacity for each home in which care is to be provided, and this capacity shall be stated in the agreement with the provider. (SEE: OMS-05.3.)

DCS-10.4 Children in attendance for private-home day care shall not at any time be left without adult supervision.

DC-11 Qualifications

Home Visitors

DCS-11.1 The agency shall employ for the purpose of support and supervision of its providers private-home day care visitors who have:

a) completed an approved post-secondary program in child and family-related studies

b) at least two years' experience appropriate to the ages and developmental levels of the children enrolled, and

c) the written approval of the Director.

DC-12 Health of Providers

DCS-12.1 Each person caring for children on the premises in which private-home day care is furnished and every other person ordinarily resident or regularly on the premises shall have a health assessment and immunization as required by the local medical officer of health. Verification of this shall be obtained by the agency before placement of a child occurs and thereafter as required by the local medical officer of health.

DC-13 Training and Development Plans

Home Visitors

The operator shall ensure that:

DCS-13.1 a) Within three months of employment, each home visitor shall have his or her performance evaluated by the agency for the purpose of developing a training plan. The employee shall participate in the development of the training plan, which shall include but not be limited to:

i) a list of the minimum skills required
ii) a list of any additional skills desired
iii) a list of training activities planned.

b) The training plan shall be recorded and kept in the employee's personnel file.

c) The training plan shall be reviewed annually and the review process described and recorded.

Day Care Providers

DCS-13.2 The agency shall have an annual plan and written policies and practices with respect to the recruitment, selection, retention and supervision of its providers, and a written form of this material shall be made available to each provider at the commencement of an agreement (SEE: OMS-05.3) and subsequently on an annual basis, or whenever it is amended.

DCS-13.3 The agency shall have an annual plan for provider training activities which shall include but not be limited to opportunities to learn specific competencies in the areas of:

a) nutrition

b) health

c) safety and sanitary practices

d) arrangement and use of space

e) child development

f) methods of guidance and stimulating activities for children

g) awareness of child abuse.

DC-14 Home Selection

DCS-14.1 The agency shall have written home selection policies, practices and procedures to ensure that any building in which private-home day care is furnished is constructed and maintained so that it complies with:

a) the laws affecting the health of inhabitants of the municipality or the reserve of a band, as the case may be, including any rule, regulation, direction or order of the local board of health and any direction of the local medical officer of health

b) any by-law of the municipality in which the premises is located or any by-law of the council of the band on the reserve, as the case may be, and any other law for the protection of persons from fire hazards

c) any restricted area, standard of housing or building by-law passed by the municipality pursuant to Part III of the Planning Act, R.S.O. 1980, c. 379 or any predecessor thereof and, where the premises is located on the reserve of a band, any by-law of the council of the band on the reserve to regulate the construction, repair or use of buildings

d) the requirements of Ontario Regulation 925/75 made under the Building Code Act, R.S.O. 1980, c. 51 where applicable.

DCS-14.2 The premises where private-home day care is to be furnished or is being furnished shall be inspected by a private-home day care visitor before the home is approved and at least every three months thereafter, or at such more frequent intervals as are deemed necessary by the private-home day care agency or Director, and the private-home day care visitor shall ensure that there is compliance with the requirements prescribed in the regulations for the health, safety and well-being of the children receiving private home day care. A record of all such visits shall be maintained by the agency.

DC-15 Outdoor Play Areas

DCS-15.1 No child in private-home day care shall play on a balcony without an adult being present.

DCS-15.2 Supervision of outdoor play shall be agreed upon by the parent, provider and home visitor.

DC-16 Interior

DCS-16.1 A temperature of at least 20° C shall be maintained between October 1 and May 31 in the premises where private-home day care is furnished.

DC-17 Equipment and Furnishings

DCS-17.1 The agency shall have written policies, practices and procedures with respect to the provision of equipment in its supervised day care homes, and the respective responsibilities of the agency and the provider shall be contained in the written agreement between them. (SEE: OMS-05.3.)

DCS-17.2 The agency shall ensure that the equipment and furnishings in a home where private-home day care is provided shall include:

a) a quantity of indoor and outdoor play material and equipment in proportion to the number of children enrolled and of a type suitable for the children enrolled

b) a crib, with sides, or a playpen for each child under the age of 18 months enrolled that meets the regulations of the Hazardous Products Act (Canada)

c) a crib, cot or bed of a family member for each child over the age of 18 months of age enrolled

d) a washable blanket and sheet for each child enrolled.

DCS-17.3 The agency shall ensure that all chemicals, disinfectants and other poisonous or hazardous substances used in a home where private-home day care is provided shall be inaccessible to children.

DCS-17.4 The agency shall have a written policy with respect to firearms in the homes of its providers.

DCS-17.5 In the selection of homes, the agency shall ensure that every private-home day care home has a telephone except where telephone service is not available in the community.

DC-18 Fire Safety and Emergency Information

DCS-18.1 In cooperation with the local fire authorities, the agency shall develop a written fire evacuation plan to be carried out in its homes, and before placement of a child, a home-specific procedure including the duties of the provider shall be established for each home by the home visitor and the provider.

DCS-18.2 The agency shall ensure that in every provider's home, the telephone numbers of the following are attached to or immediately adjacent to each telephone:

a) the fire department

b) the nearest hospital

c) the nearest ambulance service

d) the nearest poison control centre

e) the police department

f) the private-home day care agency and the home visitor.

DCS-18.3 Emergency contact information, maintained up to date, shall be easily accessible at all times that children are in a home where private-home day care is being provided, and shall include:

a) means of transportation to the source of emergency care

b) the name, address and telephone number of each child's family physician, the child's OHIP number and the surname and initial of the subscriber

c) home and work addresses and telephone numbers of each child's parent(s) or guardian and emergency contact person(s) if a parent or guardian cannot be reached

d) any special medical information provided by the child's parent(s) or guardian or physician, or additional information that might be helpful in handling an emergency situation.

Handicapped Children in Designated Funded Programs

FP-01 Individual Program Plan

FPS-01.1 A written individual program plan and written individual training/treatment plans with provision for monthly updating shall be developed within 30 days for each handicapped child enrolled in:

a) a designated funded centre

b) a complementary in-home program or alternative in-home program operated by a day nursery

c) a supervised private-home day care program where this is the only developmental program that the child attends during the day.

FPS-01.2 The child's individual program and training/treatment plans shall be reviewed with the child's parent(s) following each revision, and copies of the plans and revision shall be kept in the child's personal file.

FP-02 Daily Schedule

FPS-02.1 The daily schedule for a designated funded centre shall be written to ensure that:

a) Each handicapped child has teaching according to an individual training/treatment plan prescribed for that child for each day of attendance.

b) The requirements in PS-02.2 and PS-02.3 of a day nursery are fulfilled.

c) Age-appropriate activities are included.

d) The training/treatment and any deviation from the plan are recorded daily and a copy retained in the child's personal file.

FPS-02.2 Where a handicapped child is placed in supervised private-home day care, the private-home day care agency shall ensure that:

a) The child has teaching according to a written individual training/treatment plan prescribed for that child.

b) The requirements in DCS-02.1 and DCS-02.2 of a private-home day care agency program are fulfilled.

c) Age-appropriate activities suited to the developmental level of the child are included.

d) The training/treatment and any deviation from the written plan are recorded daily, and a copy is retained in the child's personal file.

FP-03 Content of Children's Records

FPS-03.1 The operator of a day nursery shall keep on the premises of the day nursery and the operator of a private-home day care agency shall keep on the premises of the agency a personal file maintained up to date that shall include in respect of every handicapped child enrolled, in addition to the contents specified in PS-06.1 or DCS-08.1, whichever is applicable, and FPS-01.2:

a) a letter of referral and within four months of admission a summary of a team assessment or a notation on the child's file showing the planned assessment date

b) signed permission forms for participation in specialized services, where required

c) a record of all home visits, where applicable.

FP-04 Confidentiality

FPS-04.1 Prior consent to release of personal information concerning any handicapped child and family shall not be required from the child's parent(s) or guardian as a condition for enrolment in any program licensed under the Day Nurseries Act, R.S.O. 1980, c. 111.

FP-05 Staff Qualifications

FPS-05.1 The operator of a designated funded centre shall employ for the care and guidance of each group of handicapped children, as defined in Schedule 2(b), at least two program staff who have completed an approved program in early childhood education, or the equivalent including specific child and family-related studies and supervised practice, and whose training is appropriate to the ages and developmental levels of the children enrolled, or who have the written approval of the Director.

FPS-05.2 The operator of a designated integrated centre or a private-home day care agency or a day nursery providing in-home service shall employ for the guidance of every four developmentally or physically handicapped children a resource teacher who has:

a) completed a program in early childhood education or the equivalent in specific child and family-related studies and supervised practice

b) completed an approved post-secondary program of studies specific to the needs of handicapped children including a theoretical component and supervised practice

c) if working with multi-handicapped children, a current Red Cross or St. John Ambulance certificate in first aid

or has the written approval of the Director.

FPS-05.3 The operator of a designated funded centre shall employ a supervisor who has:

a) completed a program in early childhood education or the equivalent including specific child and family-related studies and supervised practice, and a minimum of two years' experience in a program for either normal or handicapped children, or who otherwise has been recommended by the program adviser, and

b) the written approval of the Director.

FPS-05.4 The operator of a designated funded centre shall ensure that:

a) Within three months of employment, every employee shall have his or her performance evaluated by the supervisor for the purpose of developing a training plan. The employee shall participate in the development of the training plan, which shall include but not be limited to:

i) a list of minimum skills required
ii) a list of any additional skills desired
iii) a list of training activities planned.

b) The training plan shall be recorded and kept in the employee's personnel file.

c) The training plan shall be reviewed annually and the review process described and recorded.

FP-06 Building Interior

FPS-06.1 The location of all rooms in a day nursery for the use of handicapped children shall be on or below the second storey, unless otherwise approved in writing by the Director.

FPS-06.2 The play activity space of a day nursery for the physically or developmentally handicapped shall be divided into two separate rooms where more than 12 children are enrolled, with an additional room being provided for every 12 additional children.

FPS-06.3 The play activity space of a day nursery for the physically or developmentally handicapped shall provide a minimum of five square metres of unobstructed floor space for each child in accordance with licensed capacity.

FPS-06.4 A room or area of a designated integrated centre shall be indicated as a resource area for use for individual and small group training as directed by the resource teacher.

POOR

QUALITY

ORIGINAL